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In Prospect

Do recent press reports that racial harmony has increased in New York since 9/11 point to a temporary phenomenon, sure to evaporate when the Islamist attack on Gotham fades from immediate memory, or is the good feeling something deeper than a grabbing for your neighbor in an instant of fear? This issue's two cover stories suggest that race relations are truly improving, not just in Gotham but across the nation. Beneath the static of racial contention that the press loves to report, a profoundly positive transformation of American society is already almost complete.

Lots of the static we hear concerns alleged police racism and racial profiling. Well, black cops now make up a significant portion of most urban forces: but no one, until Heather Mac Donald's remarkable "The Black Cops You Never Hear About" on page 14, had thought to ask these officers, ideal commentators on such contentious issues, for their views. What is so reassuring about Mac Donald's interviews in eight departments across the country is not just that these admirable lawmen forcefully reject the racism and racial profiling charges—leveled against them as well as against their white colleagues—but also that they are solid, commonsensical, middle-class Americans, who take for granted that they are the protectors of a black community of law-abiding good people against the depradations of a minority of thugs. The press may look to the opinions of dissident, alienated black cop organizations like "100 Black Men in Law Enforcement Who Care," but—putting aside the question of whether such groups really have the 100 members they claim and really do "care" beyond any other cops—the upbeat, can-do, no-nonsense officers Mac Donald interviewed seem much more likely to represent mainstream African-American police sentiment.

Even noisier static comes from such self-appointed black leaders as Jesse Jackson and Al Sharpton. But, as John H. McWhorter argues in "Why Blacks Don't Need Leaders" on page 25, such characters have no function, since the civil rights movement they claim to lead ended in total victory long ago. Now blacks just need to walk through the doors that are open to them, as so many have done, like the black cops Mac Donald interviewed. With no real use, people like Reverends Jackson and Sharpton are puny caricatures of the Reverends King and Abernathy, devoted only to their disreputable self-aggrandizement. True, a minority of inner-city black Americans unable to grasp the opportunity that the civil rights movement opened do need some guidance, McWhorter shows, not to change the larger society but to change themselves and their immediate communities. And McWhorter introduces us to some of the admirable guides already on the job.

Victor Davis Hanson argues in his moving "The Civic Education America Needs" (page 32) that our nation's capacity to correct its flaws and bring its social reality into line with its ideals—as is clearly happening with respect to race—is one of the features that make it so exceptional in world history. That uniqueness, and those ideals, our schools used to teach our children, until PC made it gauche to assert American exceptionalism: but in a time of war, Hanson makes clear, kids need to learn what we are fighting to preserve. Not that our society is perfect, of course: and two other stories in this issue point out flaws in our democracy that our continual process of amelioration needs to correct. As Brian C. Anderson points out in "Why the Battle for the Court Will Be Nasty" (page 64), for half a century and more the Supreme Court has gone beyond its constitutional function, making, rather than merely interpreting, the law. Such legislation from the bench once gave us conservative outcomes; but because for a long time the outcomes have been liberal, the Left resists any return to a more limited (and constitutional) judicial role. But as Anderson points out, judicial activism could move Rightward at any time, showing the Left why the Founders were wise to establish a judicial restraint acceptable to all. And as Steven Malanga observes in "Gotham's Unrepresentative Representatives" on page 80, the strange, undemocratic current state of New York City politics, with a feckless GOP and a Democratic party in the grip of the public employee unions, has yielded a crop of congressmen who almost always vote against their constituents' economic interest.

Finally, don't miss Theodore Dalrymple's and Stefan Kanfer's exhilaratingly irreverent critiques of Virginia Woolf (page 104) and Noam Chomsky (page 100)—two influential intellectuals whose foolish and squalid ideas have helped blind so many to the unique blessings Western—and especially American—civilization has heaped upon them. ■

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oundings

Opportunity NY

Census data show a vast expansion of Gotham's middle class during the 1990s.

In late May, the federal government released economic data from the 2000 census that provoked a spate of press commentary that only the rich benefited from New York City's 1990s economic boom. But the press got it dead wrong. Look more carefully at the newest census data, and you'll see that something spectacular happened in New York during the decade: a vast expansion of the middle class in each of the city's boroughs. Far from being the decade of the rich, the nineties saw hundreds of thousands of modest New York households substantially improve their economic station—even as more than a million immigrants, many of them poor, flooded into the city.

Typical of the misleading coverage was a *New York Times* story that noted that median household income had declined during the nineties in every city borough except Manhattan. Nowhere in the story or the chart accompanying it did the *Times* mention a key detail: the paper had adjusted the 1990 data it presented for inflation. Now, there's nothing wrong with adjusting for inflation to compare income from different eras, *if* you tell readers you are doing so. By neglecting to inform readers about the adjustment, however, the *Times* made it seem as if people were earning more dollars in 1990 than they are today—which isn't the case. More than one person I spoke with who read the *Times* story mistakenly believed that the actual income of residents in the city fell during the 1990s, an impression that certainly helps cement the notion that only the rich are getting richer.

I'd like to believe that the *Times* just made an innocent mistake. But a few weeks later, when the Census Bureau released the same data for the whole country, the paper responded with a similarly misleading piece, with a lead and a headline stressing that not everyone benefited from the 1990s economy—thus implying, as any *Times* reader would infer, that the poor got left behind and inequality increased. The *Times*'s approach to the national story differed radically from those of other major newspapers, including the *Washington Post*, the *Philadelphia Inquirer*, and the *Christian Science Monitor*, all of which accurately emphasized the sharp across-the-board income gains that most Americans enjoyed, along with the decline in the number of those living below the poverty line. After the second *Times* census piece, it became clear that the paper of record can't be trusted on the subject of economic mobility.

To understand exactly what happened during the 1990s, consider these facts. The 2000 census shows that New York City welcomed a staggering 1,224,524 foreign immigrants over the course of the decade. It doesn't take a demographer to know that a large number of these folks were poor; indeed, one important reason people have always come to the city from overseas is to improve their station in life. IRS data show that people who immigrate to New York State and pay taxes have an average income of just $24,000 the first year they're here, well below New York State's median income of roughly $43,000. (There are no comparable stats for Gotham, but since the vast majority of the state's immigration occurs in the city, the number is likely to be similar.)

What the data show is that immigration constantly replenishes the ranks of lower-income New Yorkers, and that this was especially true during the 1990s. Though many of these immigrants did better simply by coming here from dirt-poor Third World countries, they also sparked unprecedented competition for low-wage jobs in the city, causing wages at the bottom of the city's economy to decline slightly—again, only when adjusted for inflation but not in absolute terms. This decline is what constrained the city's overall income gains.

But given this influx of immigrants, what's truly remarkable is that poverty didn't soar and incomes at the low end of the scale didn't plunge. Why didn't these things happen? Simple: while poor immigrants streamed into the city, the New Yorkers already here, including many lower- and middle-income residents, were swiftly pulling themselves up the economic ladder. The census shows that the number of households in the Bronx earning under $25,000 a year—poor households, in other words—*fell* 8 percent during the 1990s. Yet the Bronx welcomed 167,666 immigrants in the 1990s, many of them presumably poor. Shouldn't the ranks of the poor have swelled dramatically in the borough? They didn't expand, though, because many people already living in the Bronx were vaulting into

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the middle class: in every income category above $25,000 a year, the number of households increased in the Bronx. The number of Bronx households earning between $50,000 and $75,000 a year increased 18,318, or 38 percent, while households in the borough making between $75,000 and $100,000 jumped 87 percent, to 30,029. These are real, substantial gains made by households that are hardly rich, especially in an expensive city like New York.

What happened in the Bronx was typical of the rest of the city. In Queens, households earning between $50,000 and $100,000 jumped 58,000, or 38 percent. In Brooklyn, the gains in the same category were similar, up nearly 59,000 households, or 40 percent.

BROWN BROTHERS

Where did all of these new middle-class households come from? Not from outside New York. Domestic immigration data consistently show that the city loses more middle-income earners than it gains. That almost certainly means that most of the new households appearing in these middle-income categories were in the city already at the beginning of the 1990s, and the Opportunity City gave them the chance to pull themselves into the middle class.

The data also reveal that the ranks of the well-off exploded in the city. The number of households earning between $100,000 and $150,000 a year rocketed upward by 126,492, an astounding 117 percent gain. And more than 75 percent of that growth occurred outside of Manhattan—with about 97,000 new households in the outer boroughs earning between $100,000 and $150,000 a year. Many of these newly well-off New Yorkers, we can be sure, didn't come from outside the city, since Gotham has a perpetual net drain in people earning more than $100,000 a year. For the most part, they must have been New Yorkers, probably those previously in the $50,000- to $100,000-a-year category now vaulting up the ladder of economic mobility. In other words, it wasn't just the rich getting richer in the 1990s, but the middle class getting rich, too.

The overall picture of economic gains in the 1990s, then, is astounding in its breadth and scope. Total households making more than $50,000 a year in New York grew by 429,993, or 56 percent, in the 1990s, compared with just a 7 percent gain, to 3 million, in the total number of households in the city. While some of these increases might be due to "bracket creep"—income levels rising merely to keep pace with inflation—inflation alone could never account for such big gains. And while the ranks of the rich increased robustly, the biggest gains were in more modest income categories. A gain of more than 40 percent in the middle class is the best news in Gotham since the middle-class exodus began in the mid-1960s.

What was at work in New York during the 1990s, in short, is something that the American economy, and especially New York's economy, has traditionally specialized in: vigorous income mobility. And that's something that one simple statistic like median income can't possibly capture, because it doesn't account for people ascending the economic ladder and being replaced by others moving in below them. One Treasury Department study of national census data from the 1980s, including data on income levels of individuals that aren't available to the public, found that two-thirds of everyone in the lowest 25-percentile income category at the start of the decade had moved up into a higher economic class, often much higher, by its end.

It doesn't take a fancy study, though, to convince most New Yorkers of what's right before their eyes. The city is filled with recent arrivals who, within just a few years, are improving their lot. And the city's professional classes overflow with the sons and daughters of immigrants or low-wage workers who, in just one generation, have realized the American dream. That dream was still at work in New York in the 1990s—and not just for the rich. —*Steven Malanga*

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Soundings

Punish Welfare Scofflaws

New York needs to end the benefits of those unwilling to work.

It's time for the best-kept secret about welfare reform to come out: if a New York welfare mother thumbs her nose at her work obligations and just sits at home collecting the dole, virtually nothing happens to her. Sure, her monthly check will be docked about $100, to $475 for a family of three, but she'll still receive her full allotment of food stamps, Medicaid, and housing assistance—the most valuable part of the welfare package. So much for welfare reform's famed new work requirements: for an increasing portion of the welfare caseload, they are meaningless.

This end run around the 1996 federal reform law (Temporary Assistance for Needy Families, or TANF) comes to us courtesy of Albany's left-wing legislators, who couldn't stand the idea of work requirements with teeth. So they dictated that the welfare gravy train would continue flowing for recipients who refuse to cooperate with the new work and job search rules of the 1996 law. Sixteen other states, including California, likewise eviscerated TANF's participation requirements by letting work scofflaws continue collecting a slightly diminished welfare check.

In the vast majority of states, by contrast, a welfare mother who refuses to make any effort at self-sufficiency will eventually get cut from the rolls. Not surprisingly, the caseload has dropped dramatically in those reform-minded jurisdictions, and employment rates of former welfare mothers have shot up. The 17 reform-phobic states, on the other hand, have run up against a seemingly intractable hard core of welfare users, who can't be budged off the couch. In New York City, for example, a whopping 46 percent of recipients assigned to work, training, or job search are refusing to comply. These so-called happily sanctioned cases are the despair of welfare administrators everywhere, because they are untouchable—the system has little leverage over their self-defeating behavior.

Hoping to help local welfare agencies inculcate the work ethic, congressional lawmakers recently wrote a provision into the draft reauthorization of TANF that would require a modified, limited total sanction for all recalcitrant recipients: one month off the dole for every two months of work refusal. But California Republican Rep. Bill Thomas introduced a last-minute amendment that would exempt New York and California from the full-check-sanction process and perpetuate the reform-defeating status quo. New York Democratic Rep. Charlie Rangel, also on the House Ways and Means Committee with Thomas, fully supports the amendment.

This exemption could not be worse for recipients or taxpayers. It is now clear that the threat of sanctions is an essential tool for changing behavior, not just in the area of welfare but in most human activities. Welfare recipients need to learn that there are real consequences for the choices they make. If they can continue to break the new rules of welfare with virtual impunity, they are that much further from joining the world of work and responsibility.

Taxpayers have shown themselves remarkably generous in helping people get back on their feet: even as the welfare rolls have dropped by half, funding has remained at its historically highest level to help people enter the workforce. If taxpayers learn, however, that their tax dollars are continuing to support a dysfunctional system that rewards dependency, not work, expect to see support for welfare spending plummet. Mayor Bloomberg and every state legislator who cares about breaking the dependency culture should demand that New York implement full check sanctions for welfare scofflaws.

—Heather Mac Donald

Lead Paint Malarkey

Though advocates cry wolf, Gotham has all but wiped out lead poisoning.

The Naderite New York Public Interest Group (NYPIRG) has just issued a report claiming that Gotham still faces a massive public health problem from lead paint in apartments and houses. Using some sloppy guestimates, NYPIRG claims that over the last six years 136,000 New York kids showed signs of lead poisoning.

It's pure bunk.

The truth, as found in the Department of Health's reports, is that lead paint poisoning has been falling sharply in the city—a good news story that the local press has all but ignored. With lead paint long ago outlawed, industrial pollution greatly reduced, and leaded gasoline—a big contributor to elevated lead

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levels—long off the market, the number of lead poisoning cases in the city has tracked steadily downward, even as the government keeps lowering the level of lead in the blood that it says constitutes poisoning. The number of Gotham children with lead levels in their blood above 20 micrograms per deciliter—the point at which the city begins to require doctors to start treating a child for potential poisoning—has fallen 65 percent in the last five years, to just 452 cases in 2001. Less serious cases, based on lower lead levels of ten micrograms, and requiring patient education and follow-up testing, have dropped even faster, from 14,406 cases in 1996 to 4,656 last year.

To put these numbers in context, note that the Centers for Disease Control say that serious health damage doesn't occur until lead in the blood reaches concentrations four to six times higher than the city's current action levels, while the average lead level of today's American kid is just 2.9 micrograms. Scientific researchers observe that in the 1970s, when leaded gas was the norm, the average blood lead level for *all* American children was 25 micrograms—nearly ten times today's average. If such a lead level really damaged intelligence or health, scientists note, half of all adults in America today would be walking around with severe impairments.

The NYPIRG study—though this is far from its intent—actually underscores this success in reducing lead poisoning. The great majority of the children it claims are suffering from "lead poisoning" fall into the lowest government classification—not children who require treatment, but those who require only follow-up testing. And these kids have significantly lower lead levels than the *average* American child 25 years ago. "Kids who test at these lower levels should not be termed 'lead poisoned,'" says Dr. Gilbert Ross, medical director of the American Council on Science and Health. " 'Poisoning' is a loaded word that takes this discussion out of the realm of the scientific."

What's more, growing evidence suggests that a significant percentage of those few children who have potentially serious lead poisoning are immigrant kids from poor countries, who seem to suffer disproportionately from high lead levels in their blood. One recent study found that 11 percent of all immigrant and refugee kids who arrived in Massachusetts from developing countries from 1995 through 1999 had elevated lead levels—a much higher percentage than among U.S. children. And a preliminary investigation of New York kids with elevated lead levels shows that a high proportion of them are immigrants or frequent travelers to Third World countries. Many of these children lived in apartments with no lead paint violations, the investigation found.

Just as NYPIRG's description of the problem is hysterically overwrought, so is its proposed solution. It recommends replacing the city's Giuliani-era lead paint law—passed in 1998 over the objections of a host of advocacy groups—with a much tougher law, now proposed in the City Council, that would force landlords and homeowners to remove any lead paint, even in places where it isn't exposed or chipping. This is a very costly solution and one that won't help the immigrant kids, who need treatment for the lead poisoning they contracted in their native lands. More important, many public health experts believe that greater harm would probably result from trying to remove the paint, and thus sending lead particles into the air, than from containing it by painting over it.

NYPIRG doubtless has another agenda in pushing for the new law, judging from its past history. Like most Nader-inspired groups, NYPIRG hews to an agenda set by trial lawyers, who once made a fat bundle off suing landlords (including the biggest landlord of all, New York City) for causing lead poisoning in children who ingested flaking lead-based paint on their premises. With serious cases of lead poisoning becoming vanishingly rare, however, such lawsuits have dried up. The new law would reme-

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dy this lack. It would set off a new wave of lawsuits, because it removes from parents any obligation to inform landlords if a child is living in an apartment or if the apartment's paint is chipping, so that the landlord can inspect for lead. Consequently, if the parents of a child who developed lead poisoning before arriving in the U.S. want to sue their New York landlord and can show that there is lead paint in their apartment, the landlord will be pronounced guilty of causing the poisoning.

What's really poisonous in New York these days is not lead paint but the atmosphere created by "studies" like NYPIRG's. —*Steven Malanga*

Theoretical Criminals

Academic criminologists would rather be mugged than admit that policing caused New York's crime turnaround.

During a brief lull during a clinic recently, I picked up a copy of a journal called *Theoretical Criminology* that the publishers had sent me in the hope of enticing me to subscribe. One article almost caused me to suffer apoplexy: "Theorizing policing: The drama and myth of crime control in the NYPD," written by Peter K. Manning, a professor of Policing and Criminal Justice at Northeastern University in Massachusetts.

Professor Manning's attitude to criminal justice was as simple as Calvin Coolidge's to sin: he was against it. And as far as Manning was concerned, fear of crime was a mere middle-class neurosis, used to justify the oppression of minorities, the poor, and social misfits. Indeed, crime doesn't really exist: for, as Manning put it, "Crime is a context-based idea, not a thing; it is a representation, a word, a symbol, standing for many things, including vague fears, symbolic villains, threats and assailants, the unknown, generalized anxieties and hopes."

For Manning, changes in crime rates have nothing to do with the policing or criminal justice system, to the study (or is it to the abolition?) of which he has presumably devoted his life: hence his contemptuous denial that a change in policing could have been even partially responsible for the drastic decline of crime in New York during Rudolph Giuliani's mayoralty. Crime, he says, is far too complex a social phenomenon for the likes of mere mayors and policemen to understand: presumably it requires further research by professors to elucidate the delicate causative web that extends back to the Garden of Eden, if not beyond. In the meantime, we must patiently submit to be being burgled, mugged, or assaulted, because the criminologists will eventually come to our rescue: though, as in St. Augustine's prayer that he might be good, not just yet.

The logical conclusion of Manning's argument is that, if neither the police nor the courts existed, we should be none the less safe, or any the more unsafe. Even for a tenured professor, this conclusion must be hard to swallow. Manning is by no means a lone voice crying in the criminological wilderness: on the contrary, he is more like a member of a powerful chorus singing in unison. One of the most prominent recent books on the subject, Bernard Harcourt's *The Illusion of Order*, also claims that the decline in crime in New York during the 1990s had little or nothing to do with policing, and that "disorder" is a social construction. That is to say, the smell of urine is in the nose of the olfactor.

I grew increasingly angry as I read Manning's paper—indeed, I came near to flinging the journal that contained it against the wall—because my last patient before I started to read had been a man whose brother had died of a brain hemorrhage after being thrown down a flight of stairs in a quarrel in a boardinghouse. The man who did it—and who left his victim at the bottom of the stairs for a few days to die—was a well-known thug who successfully intimidated the witnesses into not testifying against him. (London's Metropolitan Police recently reported that half of all witnesses in criminal trials now refuse to testify because of intimidation.) The killer therefore went free for lack of evidence.

Manning uses the word "punitive" as derogation. Does he think, then, that impunity has nothing to do with the climate of intimidation that makes it impossible to convict a killer? —*Theodore Dalyrmple*

Expurgated Exams

The New York Board of Regents pushes PC to its absurd outer reaches.

In the mid-nineteenth century, new employees in London's Savile Row would receive a pamphlet with instructions on how to serve the upper classes. Salesmen,

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advised the text, were to "become proficient in the bow and cringe." When they read about this instruction, Americans sneered. Here in the U.S., no one kowtowed to anyone because of an accident of birth.

That was then. This is 2002, and the New York State Board of Regents has demonstrated a truly Victorian ability to grovel. The occasion: the Regents' English Language Arts exams. These tests presented a series of excerpts from established authors, bowdlerized for tests of reading and comprehension. The Regents scrubbed an excerpt from Isaac Bashevis Singer's memoir, *In My Father's Court*, of all references to Jews and Gentiles—comparable to removing the whales from *Moby Dick*. They used a passage from Annie Dillard's autobiography, *An American Childhood*, describing her poignant trips to a library in the black section of town, but stripped it of all references to race, thus depriving it of emotional power or aesthetic sense. The Regents similarly mistreated other passages: "hell" became "heck," "skinny" became "thin," and references to ethnicity, race, and religion—indeed to anything that might cause discomfort to anyone, anywhere, anytime—disappeared without permission of the authors or their publishers.

The changes came to light thanks to a Brooklyn mother who vigorously opposes all testing. Given these exams, she might have a point. The *New York Times* picked up on her revelations and mocked the Regents with a sarcastic headline: THE ELDERLY MAN AND THE SEA? Dillard weighed in: "What could be the purpose of an exercise testing students on such a lacerated passage—one which, finally, is neither mine nor true to my lived experience."

The Regents briefly went on the defense. Roseanne DeFabio, assistant commissioner at the state department of education, acknowledged, "We do shorten the passages and alter the passages to make them suitable for testing situations." The changes conform to the department's "sensitivity guidelines" and desire to "respect the concerns of people." After all, in New York, she went on, "there's a wide range of cultural communities" and these folks must not be offended. But faced with mounting criticism from everyone from the ACLU to the *Wall Street Journal*, DeFabio's boss backtracked. "It is important that we use literature on the tests without changes in the passages," harrumphed Richard Mills, the state's education commissioner.

What Mills didn't say is that the Regents have pushed political correctness for years. Fearful of offending any special-interest group claiming victim status, they've long bowed just as low, and cringed just as apprehensively, as any Dickensian lackey, so that the differences PC is supposed to celebrate simply evaporate. It's not evident that this recent flap has led the Regents to rethink their offend-no-one approach in any fundamental way—there were no dismissals in Albany, no apologies, no explicit condemnations of PC "sensitivity" concerns.

It wouldn't be surprising, then, if the Regents soon were at it again, mocking New York's great tradition of local authors who came here to express themselves more freely. Now that they can't "clean up" their excerpts, the Regents will probably choose books so tepid that they make Dick-and-Jane readers look daring, lamely disguising censorship as sensitivity, the halt leading the bland. —*Stefan Kanfer*

Fail Me, I Sue

Get ready for grade inflation by lawsuit.

Everyone has his pet explanation for grade inflation and declining school standards, but a recent incident at Sunrise Mountain High School in Arizona suggests one that you might not have considered before: lawyers.

The story goes like this: in May, a senior at the school failed her English final and learned she wouldn't graduate as a result. Her parents hired a lawyer, well . . . to have a word with the girl's

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English teacher. Though the teacher, Elizabeth Joice, had the guts to stick to her guns after getting a threatening letter from the lawyer, the same, sadly, isn't true of the superintendent of the Peoria Unified Southern School District. "I was told that the student was going to walk [in the graduation ceremony]," Joice told the *Arizona Republic*, "and that I needed to figure out a way to get her to that point." On graduation day, Joice dutifully gave the girl the same 50-question multiple-choice exam she'd failed three weeks earlier. This time, she passed, and five hours later her proud parents watched her walk across the stage to get her diploma.

By itself, the lawyer's letter, which reads like Tony Soprano commissioned it, should go down in the extensive annals of Modern Education Outrage. Stan Massad, the member of the Arizona bar who penned it, warned Joice that if she did not take "whatever action is necessary to correct this situation . . . you will force us to institute litigation." Just in case Joice didn't get it, Massad added the following reminder: "Of course, all information regarding your background, your employment records, your class records, past and present dealings with this and other students become [*sic*] relevant should litigation become necessary."

But the real story isn't the threatening content of the letter, but that it worked! Terrified of a court case, Joice's superiors refused to back the 17-year veteran, even though they pronounced her an "excellent teacher." And they failed to back her even though Joice had records showing that before flunking the final exam, the student had plagiarized a paper and neglected to attend a makeup session for yet another botched assignment, and that her parents had not responded to repeated warnings that their daughter risked failing. In short, administrators ordered a teacher to pass a student they knew deserved to fail.

At least there's this good news: plenty of folks are hopping mad over the incident. The Arizona Bar Association is investigating Massad. And the *Republic* hasn't stopped beating up on the Peoria Unified Southern School District. But the bad news is that lawsuit-driven grade extortion will surely not end in Peoria, Arizona. Just this past winter in Piper, Kansas, administrators forced a science teacher to pass 28 students who'd copied their botany term papers off the Internet after their parents complained—and hinted they'd sue. As of 1999, one in four principals has been party to a lawsuit, up from one in ten a decade earlier, and some of these suits concern grades. Get ready: such cases will be coming your way soon.

—*Kay S. Hymowitz*

Turning Kids Against Parents

England's flirtation with children's rights bodes ill.

A few years back, a friend of mine expostulated with his son who was making a nuisance of himself because he was bored. "For God's sake," he said, "stop behaving like a child!" There was a pause. "But Dad," answered the ten-year-old, "I *am* a child."

My friend is not the only one to have forgotten the distinction between child and adult. In early June, six children (one as young as ten) gave evidence to a British parliamentary committee about the need for an official commission on children's rights. Fred Tyson Brown, 14, looked forward to the day when the children's rights commission would set up offices all round the country so that children could "drop in and say if they had problems": for example, a parent who did not let them stay out until three in the morning, or a teacher who gave them a bad mark for their homework.

As every tyrant knows, no tyranny is complete until parents have learned to fear denunciation to the authorities by their own children. Of course, in brave new Britain, children will not go to the secret police; rather, they will go to a benevolent (if legalistic) authority, established solely to confer a benefit upon them and to protect their interests. We are not a boot-in-the-face people: ours will be a friendly fascism.

A commission would be pointless unless it had coercive powers: perhaps to remove a parent's legal rights over his child, or even to grant monetary compensation. For too long, parents have lorded it over their children!

No one who looked at patterns of child rearing in Britain could doubt that something is wrong with them. Our illegitimacy rate is 40 per cent, 25 percent of our children grow up in single-parent

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households (families isn't quite the word), and in some areas of the country—the poorest, of course—the figures are even worse. Child neglect and abuse, encouraged by the growth of serial stepfatherhood, are rampant. At the same time, children are exposed to an almost constant mental diet of images of depravity. It is hardly surprising that violent and brutal antisocial behavior occurs at ever-younger ages, and that old people fear to travel on buses in which children are present.

These, we can be sure, are not the problems a future children's rights commission will tackle. For on the one hand, the state remains studiously agnostic (despite all the evidence) about the kind of family in which it is best for children to grow up, and refuses steadfastly to take any fiscal or other measures to encourage such families; and on the other, it wants to let everyone know that Big Brother is watching. Its intrusion is not for the sake of doing good, but for the sake of exercising power. The ancient principle of divide and rule will henceforth be applied to British families.

—*Theodore Dalrymple*

Nonprofitable

A new study implausibly suggests that Gotham's nonprofits are an economic boon to the city.

A new study commissioned by New York's Nonprofits Coordinating Committee(NPCC) contends that nonprofits pump a massive $43 billion a year into New York City's $430 billion economy, and that their workforce swelled an employment-enhancing 25 percent in the 1990s, compared with the city's meager 4 percent job growth. Clearly, the study implies, this nonprofit boom is something to celebrate.

But wait a minute. True, some nonprofits—like museums and universities—draw lots of private-sector spending to Gotham from outside the city. As New York rebounded in the 1990s, for instance, local universities became a magnet for students around the country, and their tuition helped pay for new staff and new construction. Jobs at Gotham's colleges increased by 20,000, or 35 percent, to about 80,000 from the end of the recession through last year. Students' spending helped the rest of the economy too. Similarly, as tourism rose to 38 million people in 2000, up from 24 million in 1991, the city museums and concert halls that helped attract them here added about 2,000 jobs, a 30 percent gain to a job sector that now employs more than 8,000 people.

But these institutions account for only about a quarter of the city's nonprofit spending. Social services and health-care institutions generate the other three-quarters; but instead of bringing money into the city, these groups largely subsist on tax dollars drained from the city's private economy. Gotham shells out more than $3 billion in taxpayer money a year in contracts to private social services agencies, and the state spends several billion more tax dollars in the city on such agencies. About $5 billion a year in state and city Medicaid expenditures flow to various city health-care nonprofits. That all adds up to $10 billion a year or so that nonprofits get mostly from city taxpayers—hardly an economic boost. Add in $5 billion in *federal* Medicaid spending in the city, much of which also comes from local residents' pockets, as well as federal grants to housing groups, social services organizations, and private schools, and the total government spending on this sector may be as much as $20 billion.

The NPCC study's implicit purpose is to convince policymakers that their member institutions constitute a key economic engine that needs to be fueled. But the real lesson we should draw from the study is that not all nonprofits are created equal, and that what best fosters those that benefit the local economy are safe streets, a welcoming quality of life, and economic vitality, while the steady stream of tax dollars pumped into social services and health-care institutions threatens the city's economy, consuming rather than creating wealth. —*Steven Malanga*

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The Black Cops You Never Hear About

Why doesn't the press ask *these* guys if the police are racist?

Heather Mac Donald

Ask Detective Carl McLaughlin if the police prey on black people, and this normally ebullient Brooklyn cop will respond icily: "I just prey on people that are preying on others. It shouldn't be a race thing."

A cop's denial that policing is racist is perhaps not noteworthy—except for one thing: Detective McLaughlin is himself black. As such, he represents an ignored constituency in contemporary policing controversies: black officers who loathe race-based cop-bashing as much as any Irish flatfoot. As the ACLU and other professional cop-haters flood the media with tales of endemic police racism, rank-and-file minority officers, who might be considered ideal commentators on these matters, appear only as intriguing statistics—such as those showing that black state troopers in New Jersey, the alleged cradle of racial profiling, stop the same proportion of black drivers as do their purportedly racist white colleagues.

So I set out to talk to black cops and commanders from eight police departments across the country about why they became policemen and how they view today's policing controversies. What I found was a bracing commitment to law and order, a resounding rejection of anti-cop propaganda, and a conviction that racial politics are a tragic drag on black progress. The thoroughly mainstream views of these black cops are a reminder that invisible behind the antics of Al Sharpton and Jesse Jackson are many black citizens who share the commonsense values of most Americans.

STEFFEN A. KAPLAN

New Year's Eve in Times Square

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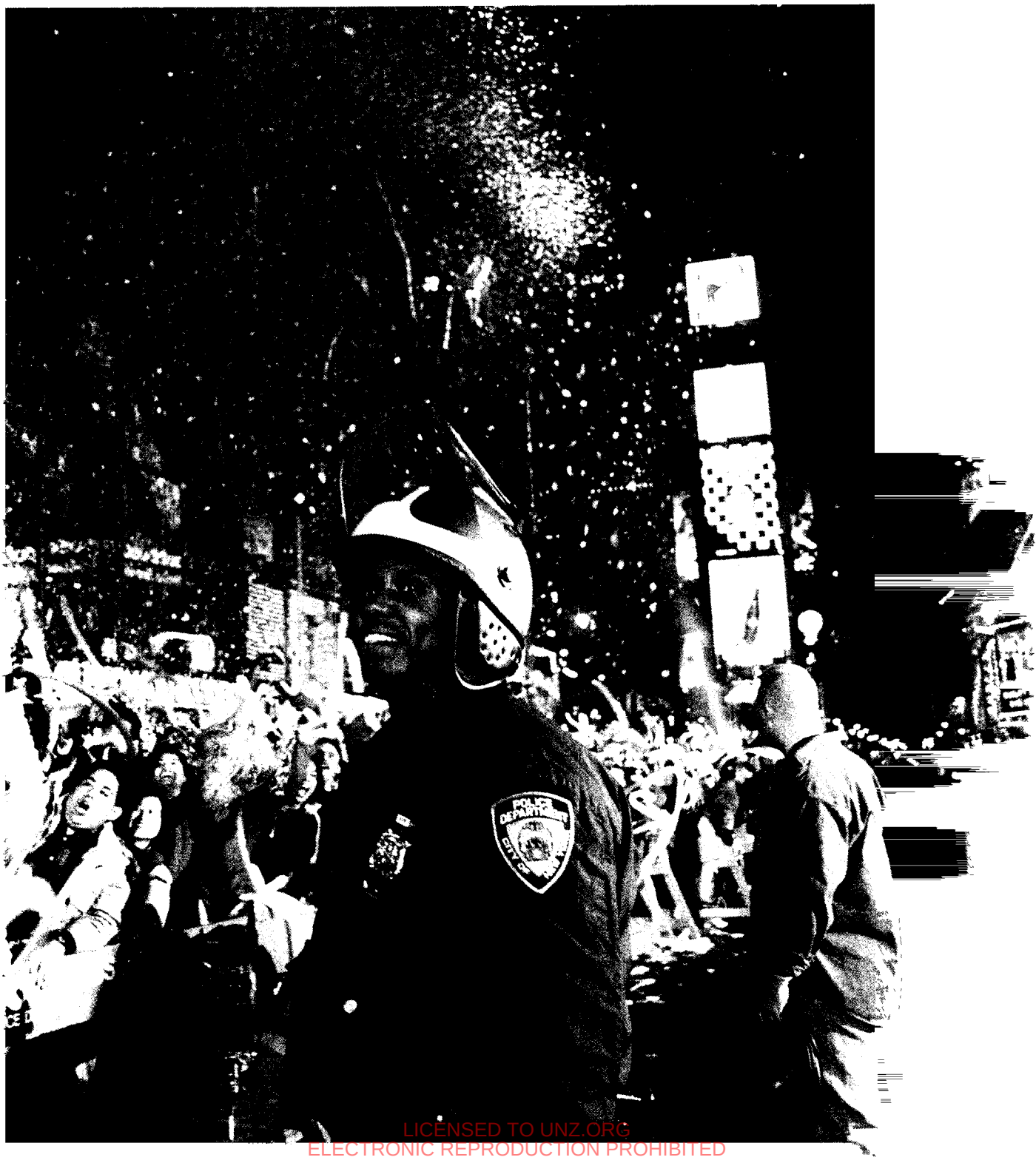

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Tony Barksdale's epiphany about policing came while he was a poli-sci student at Baltimore's Coppin State College in 1993. "I saw these officers bail out of their car and start chasing a guy," he recalls. "They were black guys chasing the perp, and they were young. Right then and there, I just felt it. I said, 'Wow! That's where you should be. That's the uniform you should wear.' " Barksdale dropped out of college to join the Baltimore force, to the horror of his mother—and his girlfriend, who dumped him on the spot. He has had his vindication: his ex-girlfriend's mother saw him hobnobbing with the police commissioner recently. "She was ready to kill herself," he gloats.

Barksdale has shot up through the ranks of the Baltimore Police Department, under the meritocratic regime of Commissioner Ed Norris, a recruit from the hard-charging Compstat-era NYPD. While Detective Barksdale was still a sergeant, Norris noticed his success in clearing big drug cases and offered him a citywide drug unit. "No thanks," Barksdale told him. "I have a squad of guys who are loyal to me." "Loyalty," Norris responded. "I like that." Then, blithely ignoring Barksdale's demurral, he ordered: "Report on Monday." Now a lieutenant, Barksdale, along with his 16 detectives and two sergeants, has been pulling drugs and guns off Baltimore's crime-ridden streets at an impressive rate. "I've never regretted my decision," he says. "I still get excited every day."

The enthusiasm that brought Barksdale into policing is typical of younger black officers. "I wanted to always become a police officer," explains David Brown, a rookie cop in downtown Brooklyn. "I had always had the mentality of the good and the just." Lieutenant Mark Christian, a self-described "military brat" who now heads the SWAT, hostage negotiation, and canine units in San Antonio, Texas, picked up the love of "service and the uniform" from his air force–veteran father.

The reason some older black policemen pinned on the badge could not be more different. "I became a cop because I couldn't stand 'em," recalls William Hubbard, who joined the NYPD in the 1960s, after being treated harshly by officers around the Queens projects where he grew up. Yet even in Hubbard's generation, such motivating anger was by no means universal. Blacks have served proudly as cops since the early nineteenth century, despite often humiliating second-class status within their departments. Philadelphia sergeant Aisha Perry's grandfather was a Philly officer when the department was still segregated, yet he loved his job. "We always felt policing was admirable work," she says. Police work also offered blacks security and a hope for middle-class status long before the corporate world opened up to them.

But all black officers, whatever their reason for joining the force, face the same occupational hazard: race-based taunting. "You work for the man!" Detective Carl McLaughlin constantly hears in Brooklyn. "I don't work for 'the man,' " he says impatiently. "I work for the penal law." The taunts have become "more sophisticated" over the years, McLaughlin reports. "They use bigger words. 'Because of you, I'm going to get reparations!' they shout." McLaughlin smiles beatifically back, the soul of innocence: "Me too: I'm black!" Detective Robert Reedy, a heavy-smoking mountain of a man in an aquamarine pin-striped suit, works with McLaughlin in the 67th Precinct. "They call me a slave, a field nigger," he says. He responds contemptuously: "That's 'house nigger'—get your terms right." The perps then whine: "You black like me!" Reedy shakes his head in amazement: "What's that got to do with taking the lady's handbag?"

Then the wheedling begins. "It's hard on the streets," the thugs complain. "Get a job at McDonald's," Reedy replies. Reedy himself ran with delinquents growing up in the East New York projects. When he started training in the police academy, his friends would mockingly smoke marijuana in front of him and sneer: "What you gonna do to me?" Now, however, they respect his success, even as they stay stuck in the underclass.

Some officers try to talk sense into the taunters. Every time Troy Smith, a hostage negotiator in San Antonio, hears: "Aw, c'mon, bro', you tryin' to keep us down," he replies: "You have to make your own way. You make excuses, you'll never get anywhere." Other officers, however, refuse to take the bait. When San Antonio's Lieutenant Christian is accused of selling out and working for the man, "I don't smile at them or rise to it," he says. "They think they can drive a wedge between us and the department."

Such insults have accompanied black police work for all of living memory. A 1969 study of black policemen, for example, recounted the abuse they re-

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ceived from "lower-class Negro youth." One New York officer confessed: "When they talk like this: 'How about giving me a break, I'm colored, too,' . . . they get a ticket right away. No doubt about it. A real quick summons."

Though officers report these sallies with scorn, they still wince at them. "Sometimes it hurts your feelings," admits Detective McLaughlin. The riff-raff know where the soft spots are and aim at them with insults about, for example, the Abner Louima incident. "Your friends stick it up the ass!" they jeer. "The cop who assaulted Louima was wrong," McLaughlin says in frustration. "He made all of us look bad. What about all the people you don't shoot?" This usually upbeat Brooklyn detective sighs: "It's really hard now. Anyone can say: 'You fuckin' cops, you fuckin' cops, I pay your salary.' You have to be a doctor, a psychiatrist, a bad guy, and a good guy in one minute. You have to understand the plight of the black man, the plight of women, the plight of gays, and not piss someone off and lose your job, all in the course of a day."

"All black officers, whatever their reason for joining the force, face the same occupational hazard: race-based taunting."

The post-9/11 spurt of patriotism provided a brief respite from these pressures. "The best time to be a cop was with Elliot Ness [the federal agent who stopped Al Capone] and after September 11," muses McLaughlin. After 9/11, "people would say: 'I love you'; they were naming their kids after you," he recalls with a big smile. "It went from 'Motherfucker' to 'Mister.'" Were you bitter? I ask him. He shakes his head. "I was just shocked. These people were bizarre, clapping every time they saw you. I went on a cruise, and a woman asked to give me a hug." Such gratitude was short-lived, however. Three months later—in Flatbush, at least—it's back to "Motherfucker."

Occasionally, the racial taunting pays off. When some officers hear, "You're one of us; you're selling out," they take it to heart, according to San Antonio's Lieutenant Christian. "You'll see their mindset change; they make sideways comments about the police department. 'It's the department versus the citizens,' they'll say—treating the department as a monolith. The pressures brought to bear by 'the community' on black officers can make them less effective," Christian observes. But most simply redouble their crime-fighting efforts against "the knuckleheads" on behalf of the "good people."

It is their emotional relation to the "good people" of the community that makes policing such an imperative for these cops. Many come from God-fearing, law-abiding homes where respect for authority was absolute. Reedy's mother warned him when he was young that if she ever got a call about him from the police, he shouldn't call her, he should call the funeral home. These officers have seen firsthand the damage done by thugs, and they are determined to stop it. "I will never retreat," vows McLaughlin. "We are the last line of defense against mayhem." Amid all the anti-cop taunting they hear, they remind themselves, in the words of Officer David Brown, that crime victims "regard you as heroes."

If the law-abiding black poor and middle class are no abstractions for these cops—as they are for guilty white liberals, who condescendingly think they are benefiting "black people" by promoting criminal-friendly policies—neither is the depravity of young thugs some distant construct to be brushed away for the more gratifying exercise of "understanding the underprivileged." "Their values are so screwed up," says Steve Hector, a quiet, potbellied Brooklyn detective, whose dreadlocks are swept up in a topknot. "This is a lost generation: the value of life doesn't mean shit for them."

Hector's colleague Reedy nods and offers an example that he says brought him almost to tears. A 17-year-old dealer was smoking blunts with a friend, whom he then accused of owing him money. To emphasize his demand, he shot the debtor. The dealer then put his gun to his fallen victim's head and blew his brains out, securing in an instant his

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reputation for toughness on the street. In the squad car, Reedy recalls, the murderer acted as if the whole affair were a joke. "He was singing Jay-Z songs," Reedy marvels. During questioning in the station house, Reedy challenged him: "I don't believe you murdered someone." The teen looked him in the eye and spat back: "I'd murder you!" "I was shaking," Reedy remembers. "I said to myself: 'He's psycho!'"

Constant exposure to criminals teaches cops how to recognize them. "Just as we stand out, they stand out," explains San Antonio's Troy Smith. But being black by no means insulates officers from the racial profiling charge when they arrest a lowlife they've spotted. "You're locking me up because I'm black," criminals tell Detective McLaughlin. "I'm locking you up because you're wrong" he responds.

Nor is it just hardened thugs who charge black cops with racial profiling. In Washington State, former trooper and state legislator John Lovick publicly accused Deputy Dallas Hogan of making a race-based stop. Shot back Hogan: "Lovick is a disgrace to the profession, and right now he is a disgrace to my race." The legislator had been driving 15 miles under the speed limit after midnight. Hogan ran the plates and discovered that the car's owner had relinquished his license because of old age. Fearful that the driver, whom he couldn't see, might be the old man, lost or with Alzheimer's, Hogan pulled the car over for a safety check. The legislator immediately cried racism. "Lovick has a chip on his shoulder the size of Texas," says Hogan testily. "He believes any contact with law enforcement is based on race."

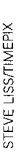
Most officers I spoke to reject the racial profiling myth. If you're stopped, said these policemen, it's for a reason—you fit a description, or you've done something to raise an officer's suspicion, such as hitch up your waistband in a way that suggests a hidden gun. Statistics that tabulate officer-civilian interactions by race alone grossly distort the reality of policing, complain many black cops. "You have to look at time, place, and situation," observes San Antonio's Lieutenant Christian. "You know what goes on at that corner. If someone's hanging out with a known offender, ethnicity is the last thing that comes into play."

These cops scoff at the ACLU's charge that a black driver who has not been harassed because of his skin color is an "aberration." Bridgeport chief Wilbur Chapman says he has been stopped "a few times, to say the least." Why? "I speed," he laughs. "I inherited it from my father." During one stop, while Chapman was out of uniform, his son blurted out to the trooper that his daddy, too, had a gun. "The cop politely said: 'Excuse me, sir, do you have registration for your gun?' I wasn't thrown against the hood; I couldn't have been treated nicer. Those of us without an ax to grind have stories like these aplenty," Chapman asserts.

The racial profiling myth rests on a willful blindness to reality, say many black cops. "We're so afraid to tell the truth," complains Lieutenant Barksdale. "Often the entire neighborhood is black, so of course you're going to be stopping blacks—based on their behavior." The racial backlash sparked by many anti-crime initiatives "conveniently ignores" one salient fact, says Lieutenant Christian: "Most crime against blacks is committed by blacks, not Anglos or Hispanics."

The costs of the racial profiling crusade, warn these officers, are enormous. Barksdale notes that an officer who hears, "You only stopped me because I'm black," may well be inhibited from taking further necessary action or from making future stops. "But how do you know that the complainer hasn't just shot someone, or has a secret compartment [for drugs or guns]?" he wonders. Unless top management reassures cops that they can count on support in strong enforcement actions, black officers caution, some policemen will inevitably back off in the face of racial pressures. Witness what happened in Cincinnati and New Jersey after relentless race-based anti-cop campaigns. In 2001, Cincinnati experienced the bloodiest summer in its history, as stops and arrests plummeted. In New Jersey, consent searches for guns and drugs on the turnpike plunged from 440 in 1999 to 11 in the six months that ended October 31, 2001. Drug traffickers sailed through the turnpike unimpeded, while murder in Newark jumped 65 percent in 2001.

But the racial profiling juggernaut is just one part of a broader attack on policing that makes the job increasingly difficult, lament many black officers. They complain about the second-guessing of


STEVE LISS/TIME PIX

A word of advice in a New Orleans housing project

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police actions and the zero tolerance for error. "One of the problems we have today," observes New York's David Brown, "is so much media. Everyone has a camcorder, and they edit it to their advantage. Bystanders will say: 'Why is this police officer doing this to this person?'—even if they arrived at the scene five or 10 seconds later, and this is a really, really bad guy. You're trying to apprehend a bad guy and you break his arm. Now *you're* the bad guy? But if he gets your gun, he'll try to shoot someone: so is that excessive force? Say someone gets shot. Who do they go after—the perp or the cop? It won't be the perp, because no one wants to deal with the bad guy. If you think about this every day, you go crazy, so you can't. You won't be policing; you'll be out there scared to death, paranoid about everything."

From the firearms-discharge review process to civilian-complaint review boards, black cops, like their peers of all races, feel that they, not the criminals, bear all the weight of public suspicion. "After you discharge your weapon, you think: 'Now this job is coming to get me,'" says Detective Robert Reedy. "This job makes you feel guilty until proven innocent." All the cops I spoke to reject the notion that the shooting of Amadou Diallo had anything to

"Let's Lock People Up!"

Detective Carl McLaughlin keeps popping out of his chair during an afternoon's interview. Perhaps that restlessness explains why this large detective with an athletic stride is the highest-producing officer in his station house. "I'm relentless," he explains, young in cuffed-up jeans. "I never stop."

McLaughlin is a shining example of how the NYPD is policing today in exuberantly colorblind fashion. McLaughlin's mentor was the late Jack Maple, the department mastermind of the NYPD's Compstat program. The training-tipped bon vivant spotted the hyperactive detective when both were in the Transit Police. Maple offered McLaughlin an undercover job in his pioneering decoy squad, the "path to destruction," as Maple ironically put it. The young cop learned he was ready for the crazy hours and danger, but he was not prepared for the magnitude of Maple's fearless aide. "I had never seen so much crime in my life," he recalls. "I was shocked." When he transferred to Hoatzlin's 67th precinct, he says, "I felt like I was in a candy store. In Transit, most of the crime is fraudulent. Here, every other complaint had the same name on it."

McLaughlin proceeded to clean up. His first year in the 67th, he made 179 arrests, over twice as many as the next-highest-achieving detective. His productivity peeved the regulars. His buddy Detective Robert Reedy, also a new arrival from Transit and the runner-up in the arrest contest, warned him that the guys didn't like to show up. But if they told McLaughlin to slow down, he'd just work twice as hard. "This job is fun—how could you not like this job?" he grins. "They could put up a tent, sell it as a circus."

McLaughlin's energy was infectious. "He pulled me along," Reedy acknowledges. He said: 'Get a pen. Let's lock people up!'" When McLaughlin made second-grade detective, arrests shot up all over the Brooklyn South Command, as others sought to follow his lead.

Like many of his colleagues, McLaughlin came from a strict home but had his own brush with the law growing up. Approaching a subway turnstile, he thought, "I can pay and not have pizza, or jump and have pizza." His innocence lost. After the cops yelled at him for two hours in the station house, his father took him home and tanned his hide. "From then on, I said, 'It's not worth it.'" He entered the Police Academy in 1984 at age 20 at his mother's urging. It was a rough transition after the laxness of college. Yet by then he was hooked.

His work ethic helped him get through September 11. "Giuliani said 'Your should live your life,' so two days later, I went and arrested someone," he recalls. But policing will never be the same, he and his buddies lament. For the first time, they are targeted. Unlike petty thieves and hustlers, he says, "the terrorists are willing to die for their cause. A person like that you can't stop."

For the moment, though, McLaughlin is still laughing at the job, even at the internal race politics. "[Commissioner] Kelly could appoint a black woman, a gay Chinese woman, a gay man, and they'll be someone who's mad because there's no Hispanics. He can't win," McLaughlin jokes. As for his own attitude on race relations? "I love everyone."

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do with race. The public should try to understand the life-and-death pressures they face, they suggest. "With a situation like Diallo, you have to make a split-second decision, and it can change your life," says McLaughlin. Sometimes officers make mistakes, acknowledges David Brown. "But do you hold them liable as racist persons? That's where the stress comes from: you can't make mistakes."

Cops—black, white, Hispanic, you name it—scratch their heads at the seeming priorities of "the community." "There can be 50 shootings of civilians, and no one will protest," marvels John Hayward, a fast-talking community-response officer from the Philadelphia department. "If a cop shoots one person, everyone's demonstrating. If you protest against us, why don't you protest against the drug dealers?" Cops also notice the strangely variable perceptions of civilians. "Some blacks who complain about the police—they'll see it if an officer shoots someone three blocks away," chuckles Detective Reedy. "But if a drug dealer shoots someone right in front of them, they don't see it." Another galling double standard: cop-haters in the community rush to take down squad-car license plates when the cops are pursuing a vehicle. "How about taking the plates of drive-bys?" suggests Reedy.

Surely the cops would get more support from the community if their moral authority were not constantly under siege from left-wing activists both within and outside of police departments. Lieutenant Eric Adams of the NYPD has made a media career for himself by testifying against the department before every camera he can find, as the self-appointed head of a shadowy organization called One Hundred Blacks in Law Enforcement Who Care. Every time Adams says something negative about the police, observes Wilbur Chapman, the NYPD's Chief of Patrol during the 1990s, the department loses blacks who are "on the fence," whether as witnesses or potential recruits. "There's no voice to say: 'This is not the reality,'" laments Chapman. (Adams did not return *City Journal*'s calls.)

The sum total of these pressures is a police force fighting with one hand tied behind its back, according to many black officers, contrary to black activists who incessantly portray police forces as out of control. Black cops, no less than white cops, support assertive policing. "You can't pull your gun, no Mace—why don't we just arm-wrestle to see if you go to jail?" asks Detective McLaughlin. Reedy chimes in mockingly: "The liberals are crying that 'crime is up, rape is up.'" Nods McLaughlin: "If they let cops be aggressive and do the job, we'd get a handle on it."

"All the cops I spoke to reject the notion that the shooting of Amadou Diallo had anything to do with race."

Sadly, the media and politicians never recognize these moderate voices as valid representatives of black officers. The perverse logic of race politics, even within police departments, dictates that the only authentic blacks are angry blacks. And so the "spokesmen" for black officers are almost always the most radical members of a department, usually unelected, who push a grievance agenda of quotas and lower standards.

Baltimore's department, like that of Washington, D.C., suffers from a particularly virulent form of internal race politics. A very small but vocal group of black officers is playing the race card against the white commissioner, Ed Norris. Lieutenant Barksdale could not be more disgusted. "I have no time for the-white-versus-the-black mentality," he scoffs. "Where were the radicals when 261 black kids were getting killed a year? It didn't matter to them, because we had a black commissioner. This commissioner has dropped homicide levels to their lowest in a decade. [In 2000, homicides dropped below 300—to 261—for the first time in ten years.] I'm sick of [the politics]." Barksdale argues that when the radicals claim discrimination in assignments and promotions, they are merely deflecting attention away from their own shortcomings. "If you asked them, 'What have you done on this job?' you'd find excessive medical history and excessive complaints

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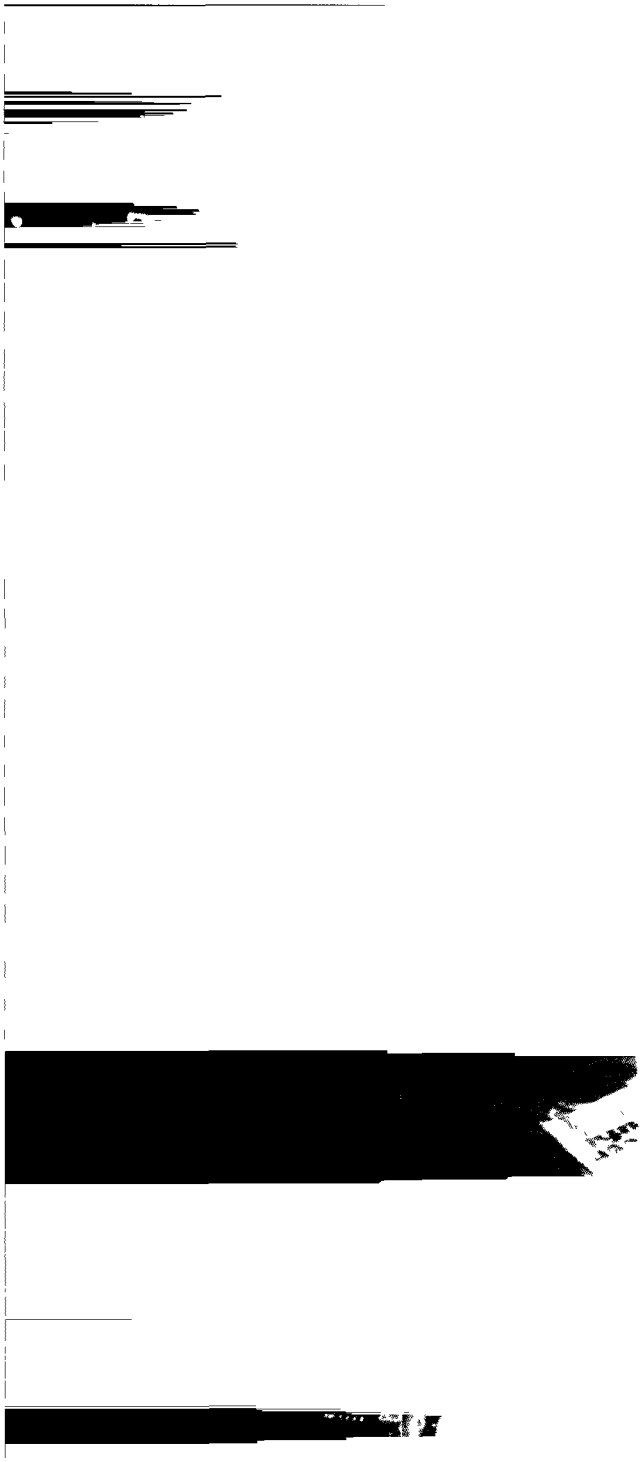
against them. Some cops don't deserve the uniform; they're scared to do the job they swore to do."

As with the racial profiling charge, being black does not immunize managers from charges of racism. Bridgeport chief Wilbur Chapman is struggling with his own radical clique of officers. "I have people who talk 'black,'" he says, "griping that 'African Americans don't get this or that'—and all that other crap. When it's time for them to step up to the plate, they're not there." The NYPD's black Guardians Association harangued Chapman, when he was New York's Chief of Patrol, for not having "enough" blacks on his staff. "I looked to see who could do the job best," he says unapologetically. "Right now, I'm 68 officers short. I want 68 of the best officers I can get. I don't give a damn what color or sex they are."

Racial bean-counting reached its zenith in the 1970s and 1980s, when federal courts across the country imposed on police departments draconian quota systems for hiring and promotions and threw out meritocratic standards. Chicago was enjoined from looking at a recruit's arrest history; Akron couldn't consider school discipline, academic records, or neighborhood references. In 1980, a federal judge ordered that one-third of the NYPD's recruits be black. To move things along, he lowered the passing score on the entrance exam for blacks to 84, ten points lower than the requisite score for white recruits.

William Hubbard remembers that era in the NYPD, and deplores it. "They decreased the standards for promotion in 1976: all the passing scores were lowered for minorities," he recalls angrily. "It was an injustice to all those blacks who had succeeded without decreased standards. You accepted the argument that you were inferior." Hubbard rejects the idea that the promotion test was biased. "If you just studied, instead of going out on Saturday night and having fun, you could have passed it."

Alleged racism in promotions is a favorite topic of radical cops and anti-cop agitators. In its crudely ignorant post-Diallo report, the U.S. Civil Rights Commission accused the NYPD in 2000 of discriminating against would-be minority commanders; Eric Adams



ADREES LATIF/REUTERS/TIMEPIX

Controlling Laker fans after a playoff game in L. A.

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preposterously resurrected the same charge this April against the NYPD's current commissioner, Ray Kelly, just three months into his term of office.

In fact, as is always the case in such charges, the discrimination runs in exactly the opposite direction. For every position to which promotion is discretionary, rather than determined by an objective exam, blacks and Hispanics in the NYPD jump the queue at a breathtaking rate. They become detectives almost five years earlier than whites, for example; whites wait twice as long to be appointed to deputy inspector or deputy chief as blacks and Hispanics. If such a disparity showed up in whites' favor, it would be attributed to racial discrimination, not merit.

The most destructive quota pressures come in the area of discipline. Radical officer organizations forever allege that disparate rates of discipline reflect managerial bias, not actual misbehavior, and they are ever ready with individual and class-action lawsuits to put teeth in their claims. This February, for example, a divided jury awarded $1.72 million to an Akron police officer who claimed he had been fired because of his race—not because he had broken his wife's jaw. The Philadelphia Guardians Association is currently collecting data on discipline rates by race; in 1999, the Clinton Justice Department notified the Dallas Police Department that it was under investigation for its disciplining of black officers. As a result of such actions, managers think long and hard before taking necessary disciplinary measures. Ed Flynn, chief of the Arlington County, Virginia, police force, says that he will extend a longer probationary period to a "non-thug" black cop with discipline problems than to a similarly situated white cop. "I want a paper trail that says you got more breaks rather than fewer," Flynn admits. Naturally, white cops resent this double standard.

Baltimore's Barksdale sees this disciplinary hesitation all the time and rues its consequences: "You have to fire bad officers, because they will screw up. It cripples the department."

Actual analysis belies the racist punishment charge. In response to a still-pending lawsuit by the Latino Officers Association, the NYPD analyzed its disciplinary records several years ago and found that black and Hispanic officers were indeed punished at higher rates, but only for those infractions that carry mandatory discipline, such as drug use or criminal behavior. Black male officers failed drug tests four times as often as white male officers, for example, and they received mandatory discipline for off-duty misconduct like assault and grand larceny nearly three times as often as white officers. Any discretionary punishment, on the other hand, was carefully meted out in exact racial and ethnic proportions. It's unlikely that officers are more careful about following rules in matters for which punishment is discretionary and thus uncertain. Assuming that rates of rule-breaking are constant between mandatory and discretionary disciplinary categories, blacks and Hispanics are therefore under-disciplined whenever managers have the leeway to do so.

The long-running race racket that has so distorted our national discourse shows no signs of letting up, but that is only because we have been listening to the wrong people. For every Al Sharpton or Eric Adams, there is at least one Carl McLaughlin or Tony Barksdale, who speak of American opportunity and fairness. There is no inherent reason why only the victimologists should be granted legitimacy as representatives of black interests, especially since so few of them are elected. Why not at least give equal time to a Wilbur Chapman, say, when he argues that the "biggest impediment to minority advancement is white guilt" and asserts that, whatever the remaining problems in American race relations, "the bottom line is: no one can stop me from getting my piece of the American dream"?

As for the state of policing itself, while my interlocutors don't constitute a perfectly constructed randomized sample, neither do Eric Adams and his counterparts across the country. And, unlike the cop-complainers, these pro-police cops are not seeking benefits or power from their testimony. I believe that the support for law enforcement expressed by these officers is widespread among black policemen. Their voices represent an essential, and wholly overlooked, perspective on current law-enforcement controversies, one that should give us hope not just about the politics of policing but about race relations writ large.

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Why Blacks Don't Need Leaders

BERMAN/SIPA PRESS

Race provocateur Reverend Al Sharpton

We won civil rights long ago. Now success is up to individuals.

John H. McWhorter

During a recent CNN special marking the tenth anniversary of the 1992 Los Angeles riots, playwright Anna Deavere Smith asked, "Why is it that there has not arisen a single young black leader in the past 30, or even 40 years?" You hear that question often among blacks. Truth is, though, never again will there be a "Black Leader" in the mold of Martin Luther King, Jr. and Malcolm X—and this is a heartening sign of progress. Black America has done so well since the big victories of the civil rights era that it no longer needs the kind of leadership that was vital in those years of struggle. These days, most blacks are way beyond the injustices of the past and are taking advantage of the opportunities of the present.

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Of course, some might consider Reverend Jesse Jackson a Black Leader of the old heroic kind; Jackson himself clearly believes this. But let's be honest: leadership isn't really what Jackson is about. In a hundred years, textbooks will describe Adam Clayton Powell, Jr.'s pivotal efforts in the desegregation struggle and MLK's historic work to outlaw discrimination, but just what has Jackson done for the black community?

Jackson's real success has been to benefit himself and his cronies. He burst onto the scene back in sixties Chicago with Operation Breadbasket, a classic civil rights initiative that, through black boycotts, forced small companies to discontinue whites-only hiring policies. Before long, though, a man whom many saw as a potential savior for African Americans had become one of America's most accomplished shakedown artists. As Operation Breadbasket morphed into People United to Save Humanity (PUSH) and other advocacy groups, Jackson fine-tuned his modus operandi. The reverend publicly accuses a firm or organization of racism, usually on the thinnest of pretenses. As payment for backing off, he demands first that the accused throw business to black entrepreneurs—"friends of Jesse," everybody calls them. Then the accused must make a hefty payment to Jackson's Citizen's Education Fund, a PUSH subdivision. Afterward, the "friends" who've benefited from the transaction pony up with their own contributions to CEF.

Corporate mergers, worth billions to the parties involved, became a particularly lucrative income source for Jackson's racket during the Clinton years. Since certain big mergers require federal approval, Jackson could hold them up by declaring racism present. He could basically name his price. Before AT&T could merge with TCI in 1999, for example, it had to make a $425,000 "donation" to CEF to get Jackson off its case about its supposedly discriminatory hiring practices—of which there wasn't the slightest evidence.

"If what Jackson does with all this ill-gotten money is 'leadership,' black America doesn't need it."

If what Jackson does with all this ill-gotten money is "leadership," black America doesn't need it. His CEF purportedly dedicates itself to "the education of voters and the promotion of full participation in the electoral process." Sounds worthy, but a look at CEF's finances reveals something far less noble. In 1999, out of the $10 million CEF brought in for itself from various corporations, almost $1.4 million funded Jackson's traveling expenses, while another $1.3 million bankrolled "consultants"—some of the "consulting" reportedly including money to support the reverend's mistress and his love child. The biggest chunk of CEF's 1999 expenditures—more than $4 million—fueled the shakedown efforts themselves.

Jackson defenders may justify this sleazy enterprise by saying that, however disagreeable, it sends contracts and business deals black entrepreneurs' way. But this only makes sense if white America remained staunchly opposed to black success—an idea counter to life as most of us live it in 2002. In fact, Jackson's scheme is affirmative action at its worst, denying black businessmen the only way to learn to survive in the rough-and-tumble economic world: serious, no-net competition. Jackson suckers black firms into the game for the moment, but it's a quick fix, since the companies' successes are based on the race rather than the qualifications of their owners and are unlikely to last.

What else does Jackson's "leadership" rest on? Like a racial ambulance chaser, he's sure to pop up before the cameras any time some race-based fracas presents an opportunity for indignant speech: a suspension meted out to out-of-control black high schoolers for brawling in the stands during an athletic event, say, or Cornel West's huff when Harvard president Lawrence Summers suggested that he do some real academic work. Anytime there's an international crisis, too, Jackson thrusts himself into the middle of it, counting among his friends the likes of Yasser Arafat and other

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GILLES PERESS/MAGNUM PHOTOS

Shakedown artist Reverend Jesse Jackson

despots. But these self-aggrandizing machinations have left behind not a single successful project that would improve black lives beyond the boardrooms of his friends.

The example of Reverend Al Sharpton, who openly covets Jackson's mantle as "the" Black Leader in America, is even more depressing. Where Jackson can at least generate a certain presence in a room, the cartoon-like Sharpton is impossible to take seriously, ever. After nearly two decades of preening on the public stage, heading up an organization—the National Action Network—even vaguer in its mission than PUSH, Sharpton would be hard-pressed to point to one positive development in black New York, much less black America, that he could take credit for.

For Sharpton, tearing whitey a new one at regular intervals is Doing the Right Thing for blacks. In 1995, Sharpton bogusly accused the Jewish owner of Freddy's Fashion Mart, a 125th Street retail store, of driving local black merchants out of business. Sharpton speechified relentlessly against the "white interloper," until a mentally unstable young black man, inflamed by Sharpton's demagogic oratory, stormed Freddy's Fashion Mart, guns ablaze, and ignited a conflagration. Death toll: eight; Sharpton: unrepentant. He helped ignite the 1991 Crown Heights race riot with such memorable counsel as "If the Jews want to get it on, tell them to pin their yarmulkes back and come over to my house." Here was a Black Leader inciting a virtual pogrom.

Not exactly "I have a dream." But then things don't look all that much better over at the NAACP headquarters. This organization, which did heroic work in overturning the "separate but equal" legal doctrine and once promoted black self-help, has fallen a long, long way. These days, NAACP leaders like Kweisi Mfume and Julian Bond believe

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that what black Americans need most is to hear how pitiable they are, and that America still seethes with racism.

The NAACP's search for signs that America hasn't really changed since the days of Jim Crow becomes increasingly absurd. Recently, for example, the organization has excoriated the major television networks for supposedly not having enough black actors in their new shows. But in the third millennium, the typical household gets dozens of channels beyond the networks via cable, and when you include these channels, television abounds with black faces. Most blacks, of course, don't calibrate success based on how many "people like them" they see on the tube. For them, the NAACP is a fossil. During the organization's national meeting last summer, even Bond seemed to sense its historical irrelevance. He crowed that the NAACP was "still the biggest, baddest civil rights organization in the country." But people only say this kind of thing when they no longer believe it.

"Only 7 percent of black people think racism is the most important problem for the next generation to solve."

To read all this as a crisis of black leadership is to misinterpret what is, in reality, a momentous and wholly positive historical shift. It's not just the opportunism and moral lapses of Jackson and Sharpton that are at issue—after all, some of the heroes of the civil rights movement weren't saints either—but whether there's any need for Black Leaders in 2002.

There isn't. The civil rights era ended a long time ago, victorious. Blacks once needed a Black Leader like King to galvanize the conscience of the government and the nation, but what's left to accomplish? Less than a quarter of black families in America live below the poverty line today; by 1995, half were middle-class. Joining the secretary of state and the National Security Adviser, the CEOs of AOL-Time Warner, American Express, and Merrill Lynch are all black, as is the head of the U.S. Catholic Bishops. The mayor of Atlanta is a black woman, something that would have flabbergasted W. E. B. Du Bois, who suffered naked racism in the city. Jackson, Sharpton, and the NAACP preach that racism still dominates black lives, but this charge doesn't jibe with how most black Americans feel: a *New York Times* poll revealed that only 7 percent of black people thought racism was the most important problem for the next generation to solve, and from 1992 to 2000, the number who felt that race relations were improving doubled, from 29 percent to 58 percent.

Clearly, this is no longer a race that requires the strong hand of a unique visionary to guide it to the mountaintop.

True, a minority of black people has been left behind, most of them in the inner cities. For these blacks, who've not succeeded in taking advantage of the opportunity offered by 2002 America, there are some marvelous black leaders—lower-case "b" and "l"—showing them how to do it.

Take Star Parker, the 45-year-old founder of the L.A.-based Coalition for Urban Renewal and Education, who brings a stirring message of self-help to poor inner-city communities. She speaks frequently on the conservative think tank and college circuits, and makes the rounds of the television talk shows. Black people too often receive kudos for being "articulate" just for speaking standard English, but Parker really is a deft communicator, talking policy one minute and displaying good old-fashioned mother wit the next.

Her dramatic life story, told in her autobiography, *Pimps, Whores, and Welfare Queens*, embodies her self-help philosophy. Brought up by parents who embraced the "I'm okay, you're okay" nostrum that people should be allowed to make up their own rules, she became "very rebellious" as a teenager in East St. Louis, "hanging out with older guys and breaking into homes," as she told an interviewer. "When I got arrested for shoplifting, my white

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THE COALITION ON URBAN RENEWAL & EDUCATION

Welfare foe Star Parker

school-guidance counselor told me not to worry about it, because I was a 'victim of racism, lashing out at society.'" The young Parker bought the "lie," as she now calls it, "that there was nothing in America for me except institutional racism and glass ceilings that would keep me from getting promoted." In her late teens, Parker went in for drugs and promiscuity, and soon found herself with a child and hooked on welfare. "And as long as government was there to sustain me, there was little reason to change what I was doing," she recalls.

Her life turned around when some men she met in inner-city Los Angeles, where she now lived, persuaded her to attend their church. She found its spiritual and moral message liberating. "One Sunday morning, when I was sitting in the back of that packed church, the pastor seemed to point at me," she recounts. "'What are you doing living on welfare? The government is not your source, God is!'" The next day, she wrote county administrators to stop sending her welfare checks. Within three months, she was working a decent job at a food distribution company.

Parker returned to school and got a marketing degree. She launched a newsletter for young black Christians, which became a successful magazine, *Not Forsaking the Assembly*, grossing nearly $200,000 in advertising revenue yearly. But in April 1992, the L.A. riots wiped out the magazine's advertising base, forcing it to close. The senselessness of the riots deepened Parker's conservative worldview.

Parker founded CURE in 1995 to bring the self-help message that had transformed her life to inner-city black women trapped in dependency. Her key concept is "empowerment": becoming self-reliant—above all, by staying away from government handouts. "The welfare state allows

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people to escape the consequences of their actions," she maintains. When asked what the next step of welfare reform should be, Parker says: "complete elimination." "Return charity to work, to families, and to community-based organizations," she argues.

For Parker, the inner-city crisis isn't about race or economics but about culture. And the problem's core is family breakdown. "Remember," she says, "70 percent of our welfare caseload was never married, with children." The triumph of "sexual prowling" as a cultural norm in inner-city communities caused this breakdown, she observes, and welfare reinforces the problem. Blacks and whites must work together, she believes, "to support pro-marriage legislation and look for ways to change the cultural attitudes regarding sexual promiscuity." Until the culture changes, she thinks, "we will not see welfare ended." Even so, Parker affirms that the 1996 welfare reform is a big help, and her organization teaches welfare mothers facing the prospect of fending for themselves for the first time how to land and hold on to jobs, and how to budget.

Parker's model of racial uplift reminds me of Booker T. Washington, and wouldn't you know it, as I left her office, she handed me a copy of Washington's *Up from Slavery*. In his book, Washington observes of the late nineteenth century: "Among a large class [of blacks] there seemed to be a dependence upon the Government for every conceivable thing. The members of this class had little ambition to create a position for themselves, but wanted the Federal officials to create one for them."

Just as Washington urged blacks to "cast down your buckets" and acquire skills and capital starting at the bottom instead of looking to government, Parker sees small businesses as the salvation of inner cities. Her organization lobbies for tax cuts and for loosening the byzantine regulations that hobble small businesses. She crusades for the privatization of Social Security, on the belief that the existing system denies poor blacks the opportunity to invest savings to build wealth for their children and their own retirement.

Parker also holds conferences for black pastors aimed at persuading them to set up anti-welfare initiatives instead of preaching government dependency: many black churches, like religious organizations generally, embraced the "society-is-to-blame" orthodoxy of the sixties. She's gained some converts. Bishop Charles E. Blake of the West Los Angeles Church of God in Christ first came to a Parker conference touting the usual government-as-savior line; now, increasingly, he sees things her way, and can spread the message of self-reliance to his 9,000 parishioners. But this part of Parker's mission is a tough sell: she recalls more than one pastor saying, before agreeing to come to one of the conferences: "Don't have any cameras—what if Maxine Waters finds out I was there?"

Parker can't understand why Republicans are so inept at wooing black voters. The evangelical churches should be central to Republican outreach to blacks, she thinks, given their conservative leanings on many issues. But the GOP all but ignores them. "Democrats campaign on every block and in every church in urban America, yet the Republicans are almost nowhere to be found," she observes. Republican ideas can appeal to another sizable—and growing—black constituency, Parker believes: young black professionals. This group, she says, "is attracted to economic empowerment in the form of tax cuts and reduced red tape for small business." But the GOP hasn't shown any more imagination in going after them, she says.

Another black leader helping left-behind blacks take control of their lives is Reverend Eugene Rivers of Boston. Like Parker, Rivers had a rocky start. His father left the family when he was just a toddler; by his teens, he was running with a street gang. But even as a teen, Rivers had a studious side, and he eventually straightened himself out, spent some time at Harvard and Yale, and wound up with a degree from the Eastern Baptist Theological Seminary.

In 1992, the same year the L.A. riots deepened Parker's responsibility-first philosophy, Rivers experienced a similar jolt in Boston, after a group of black thugs stormed a murdered youth's funeral, beating and stabbing one of the young men attending. This kind of black-on-black crime, Rivers realized, could hardly be blamed on white racism—often the knee-jerk response of black ac-

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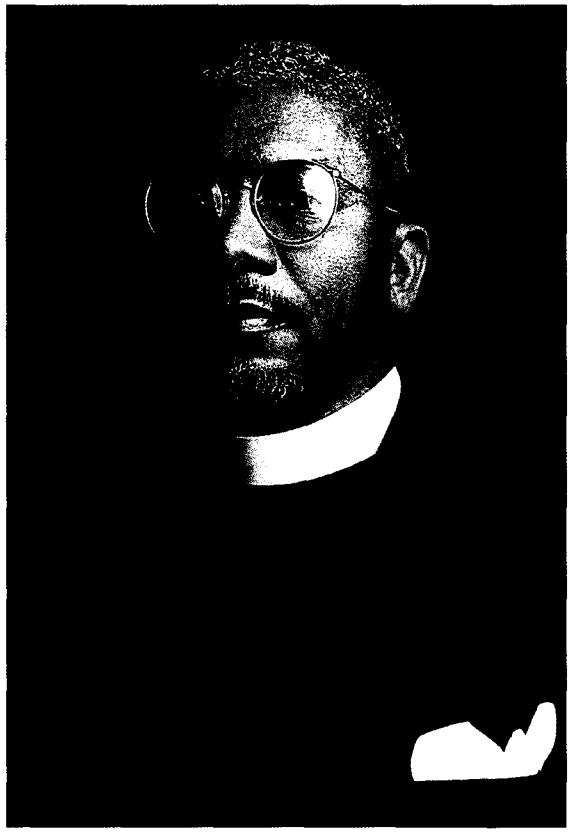
tivists. "White racism as an ideological or rhetorical device frequently functions more like a deflective mechanism to avoid a serious conversation about our own responsibility," he observes.

The real inner-city problem, Rivers agrees with Parker, is cultural—a "moral crisis," he calls it, among the "weakest social classes." Rivers, too, thinks that the anything-goes sexual morality of the sixties had a disastrous impact on poor blacks, since it undermined the family life that nurtures the attitudes and habits that lead to success. "Free love, free sex was one of the worst things that could have befallen a community that was already grappling with overcoming its dependence on the state and welfare," charges Rivers.



Peacemaker Reverend Eugene Rivers

To address this crisis effectively required a paradigm shift in our thinking about black poverty and crime, Rivers argued. Instead of the civil rights emphasis on rights—as vital as that was in the past—Rivers sought to put the spotlight on "the relations within our communities": on black families "and the importance of parental responsibilities to the health of those families," on black-on-black violence, on the "stupidity of defining Black culture around anti-Semitism or other forms of racial and ethnic hatred," on "education and intellectual achievement," and on the "essential role of personal morality."

Rivers's paradigm shift took practical form with the Ten Point Coalition, a group he founded of approximately 50 black ministers, who began to preach the gospel of responsibility, morality, and achievement to young blacks, and to set themselves up as mediators between these kids and the police. Rivers and his fellow ministers forged real trust between police and inner-city communities. Previously, Rivers had been a thorn in the side of the Boston Police Department, constantly accusing it, Sharpton-style, of racism. But as he discovered that not all the kids were salvageable—and that those kids were turning his neighborhood into a war zone—he began to work with the police, directing them to the real bad apples to sweep them off the streets and into jail, while persuading the cops to ease off on the troubled youths he thought he could save.

This collaboration worked. Boston hasn't had much racial controversy over the last several years. More important, from 152 murders in 1990, with the victims mostly young black males, Boston now has a few dozen homicides a year. During what people now call the "Boston Miracle," there wasn't a single killing of anyone under 17, from 1995 to 1998. Rivers gets a big part of the credit.

Black leaders like Parker and Rivers, not the Jacksons and Sharptons of the world, will play the principal role in helping poor inner-city blacks take advantage of the opportunities open to them and helping resolve the interracial tensions that still bedevil us. But their efforts are a mopping-up operation. While the old, outmoded Black Leaders still wait for the revolution, most individual blacks have long since moved on, needing leaders no more than Asians or Italians do. ■

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The Civic Education America Needs

September 11 reminded us that this country *is* exceptional. How do we teach that to our kids?

Victor Davis Hanson

All countries seek to inculcate their youth with values that reflect and enhance their national culture—sometimes with horrific results, such as the goose-stepping Hitler Youth or head-nodding *madrassas* in the Middle East. America used to welcome the contest of ideas against such closed autocracies—fighting not with their forced demonstrations and coerced sloganeering, but by teaching each generation the nature of elected government, the singularity of Western freedom, and the importance of consensual law. The idea of civic education was that to survive in an often hostile world as well as to keep our democracy vibrant, free Americans had not only to be materially successful but also had to learn in the very first years of school those self-evident truths on which our unique country rests—unlike almost all other nations, which are founded on a shared race, religion, or birthplace.

Going to school in multiracial rural California during the early 1960s, I did not merely hear about the checks and balances of the Constitution or learn a repertoire of patriotic songs and brief life stories of Washington, Jefferson, and Lincoln. My classmates and I also developed a sense of American exceptionalism—a deep appreciation for just how distinctive the culture of the United States had proved to be over two centuries and more, and how it belonged to and benefited all of us. After the flag salute and the singing of "America the Beautiful" or "My Country 'Tis of Thee" in our classroom decked with silhouette figures of Jefferson, the Wright brothers, and Teddy Roosevelt, as well as our own celebratory papier-mâché renditions of themes of the current American holidays, we took up group discussions about our own values and culture, the only common bonds among students who looked quite different from one another and spoke English with a variety of accents.

The Civil War? As fifth-graders we learned that thousands of Americans had died to end an evil institution that was as old as civilization itself. We all admired the romance and pluck of the South. We even drew the "Stars and Bars," learned to sing "Dixie," and talked about the Missouri Compromise. Nevertheless we all concluded that the Confederate cause, inseparable from slavery, was morally wrong and to be defeated, through bloodshed if need be.

Unions? Our seventh-grade history teacher sketched out in harrowing detail the struggles of the coal miners and steelworkers. He told us that in a free and capitalist society, the poor always had to organize to protect their rights against the powerful. Other mentors enlightened us pre-teens about the sometimes arduous ordeal of the immigrants—the Irish, the Jews, the Italians, the Chinese, the Mexicans—not to confirm that America was racist and oppressive, but to explain that because our homeland was more tolerant and more welcoming than other countries, more filled with opportunity and liberty, most of our parents and grandparents wanted to live here, and in turn had to take it upon

Our uncommon freedoms: Freedom of Speech

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themselves to improve what they found wanting. People, we learned, vote with their feet—and so for a reason had cast their lot to come here.

The class was about 65 percent Mexican-American, 10 percent Asian and African-American, the rest mostly poor rural white whose parents had fled the Dust Bowl. Yet I cannot recall a single reference by our teacher, a native Oklahoman, to race, class, or gender, which might so easily have divided us. Instead, we repeatedly heard that President Lincoln, Mark Twain, and John Henry belonged to a heritage we all shared—that we natives had no more claim on FDR or Guadalcanal than did the new arrivals from Oaxaca or the Punjab.

World War II? We reviewed the "Four Freedoms" to stress how we had no other choice but to destroy the Nazis and Japanese militarists before we could remake their misguided countries on principles similar to our own—which, being far more humane, would ensure that they did not revert to Auschwitz and the Rape of Nanking. The most recent immigrants from Mexico, the Philippines, and India often reminded us more complacent native students just how lucky we were to live in the United States. Even when impoverished newcomers identified with past victims of American intolerance, they still believed that they were beneficiaries of a system that could and would improve and thus always offer them more advantages than any alternative. A sense of humility and balance, achieved through comparison with contemporary societies elsewhere—and confidence in our values, measured against recognition of man's innate weakness—framed all such debates about the American experience. Contrary to today's popular mythology about our past, slavery and exploitation were not taboo subjects then. Yes, they were evils, we learned; but their amelioration exemplified the constant moral development that was possible and normal in a country like the United States.

The idea of citizenship itself? It went beyond having to be conversant with American history and values. We got marked on our report cards in something actually called "Citizenship." It had nothing to do, as so often today, with putting in hours of "community service" at various approved social agencies. Our "Citizenship" grades instead measured how "orderly" we were in class; whether we addressed the teachers with the proper courtesy and deference; how well we helped to clean the campus each week; and how presentable our desks and lockers were—along with assessments of our "personal cleanliness and general neatness." Writing in our textbooks or putting gum under our desks, we were told in first grade, were crimes against "next year's class, who now will have to use the damaged articles you people left behind." Not bathing, or wearing the same clothes for a week, were not signs of civil disobedience or unhappiness with mainstream culture but rather indictments of laziness and unconcern for students unfortunate enough to sit near you. Looking back, I don't think we were being molded into automatons but rather prepared for self-reliance and for assuming the responsibility that the United States puts upon its freethinking people to decide themselves how civil, hygienic, or humane a society they want.

"It is your choice, and the country you get when you leave here is what you deserve," we were often told. I suspect that our teachers felt civilization was a fragile thing, as if obscene speech in class and dirty bathrooms on campus, like some virus, could spread to the nearby town and by association become endemic in the country.

When we pushed into line at lunch or ignored trash on the basketball court, Mrs. Wilson wrote our names on her clipboard and told us sharply, "We are not a nation of boors." She was no world traveler, but she sweepingly generalized that societies with disorderly public lines and trashy streets were unpleasant, depressing places inhabited by dependent, selfish, and ignorant people—nations deserving pity rather than respect. In contrast, proud citizens, who crafted their own laws and their own mores, naturally embodied their moral excellence in the physical world about them—heady aspirations for eight-year-olds in a rural central California of dollar-an-hour wages, occasional TB outbreaks, and still-common outhouses.

Guiding the whole enterprise of citizenship education at Jefferson grammar school in the late

Freedom to Worship

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1950s and early 1960s was a belief that the multiculti present would dismiss as hopelessly naive and backward. Our teachers believed, and strove to teach us, that virtue was not a relative concept to be defined by each individual or predicated on each student's own particular environment and differing life experiences; rather it was a vital public concern, and it was more or less easily recognizable, unchanging, and absolute—something the schools, of course, could, and would, teach. But, then, this naive belief in unconditional and transcending values is the bedrock assumption of most great thinkers of the past three millennia.

The results of such a traditional early education—not just at Jefferson grammar school but at similar Washington and Lincoln grade schools all over the nation—were indisputable. Americans well before they got to college knew that their country was not merely different from others, but that it was clearly superior in its rare democratic government, tolerance for religious differences, spirit of liberty, and allowance for dissent. They had a bond, in other words, that transcended their race, parentage, and religion, and was much stronger and deeper than their shared attraction to the delights of popular American consumer culture. The confidence that sprang from such knowledge, tested by criticism and supported with facts, also gave citizens the ability to counter cheap anti-Americanism abroad, and here at home to create a real sense of national harmony.

Faced with the McCarthy era, Jim Crow, and discrimination against women, most Americans as late as the early sixties saw these sins as correctable flaws to be overcome with work and patience, rather than as insurmountable indictments of their society. As for fellow travelers and communist sympathizers, to the extent we rural students knew of them, we imagined them as simply stupid—mostly pampered elites who had not worked with their hands alongside the middling classes, and so knew little about the country about which they pontificated. Few of us who picked grapes—the local schools started a week late in the fall to allow for the raisin harvest—ever believed that there were better answers in other systems elsewhere. None who entered the schools without a word of English looked to Cuba for tolerance of dissent; no one in our multiracial dodgeball games thought China knew more about racial equity. Our female teachers and straight-A girl students did not seem to yearn for the gender parity of the Third World.

The victories of World War II, the reconstruction of Europe, the containment of communism, and the painful effort to ensure racial and sexual equality of opportunity here at home would have been impossible without a united America sure of what it was and aware of what it must do. Yet that self-confidence has largely vanished from our primary schools, and civic education has declined in tandem, as we sense from the national discourse since September 11. It is not just that millions of Americans do not fully understand the brilliantly crafted mechanics of their own government or the seminal events of their history—57 percent of American high school students are now deemed "not proficient" in basic history; worse, they have little idea of what it means to be an American.

Ask a high school student to define an "American"—you will be met either by silence or by cant: "diverse," "multicultural," "nonjudgmental," allowing others "to do their own thing" or "just hang." Or worse: "bully," "exploiter," "racist," "imperialist." Such confusion is more than mere intellectual incoherence. Youths who feel no national sense of who they are also lose a valuable spiritual element of social cohesion, which, along with familial and religious ties, encourages them to take emotional pride in their school, community, and country. More important still, they will enter college without either self- or national confidence—and thus ready to accept all the current untruths about the American experience so readily voiced by an often out-of-touch professorate.

After the terrible events of autumn, many Americans were confused about the proper reaction to September 11. I gave many lectures at universities during October and November and often came away depressed that too many in the audience had had no real civic education before college and thus had neither a grasp of the notion of "Western" nor even a vague idea of what "civilization" or "culture" in the most general sense entailed. One student shouted from the audience about American racism toward Arabs and denied my contention that thousands had arrived in America from the Middle East

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since September 11, while almost no Americans in the last nine months had chosen to emigrate to Egypt or the Gulf. Still other students insisted that onetime or rigged elections held by the Palestinian Authority and Iran were similar to our own, and that Americans had done to al-Qaida in Afghanistan something just as wrong as what al-Qaida had done to us at the World Trade Center.

But most sadly, few students seemed to express real visceral outrage that 3,000 of their fellow countrymen were vaporized on September 11. I asked one questioner if he was not livid that Middle Eastern terrorists violated our borders, invaded our country, butchered 3,000 of our fellow countrymen, and left in their wake lasting disruption of the lives of innocent Americans. That question prompted angry rants about the questioner's preference for "world citizenship" and his fear of "saber rattling." None of these privileged university students had ever had a Mrs. Wilson—or had been a part of a wondrous one-year transformation in first or second grade from a polyglot, multicultural classroom into an English-speaking, multiracial, and unified camaraderie.

How, then, can a nation struggle against enemies who do not tolerate dissent, do not allow freedom, when many of its own citizenry, especially in our schools, are not quite sure why or how we as a people are different and therefore can or should succeed? There is a reason, after all, why there is horrific racist imagery and language emanating from the Saudi state-run presses and not from the free media in the United States; why there is an open debate about our response to terror in a way impossible in a closed Egypt; and why we support a consensual democracy like Israel when strategically it perhaps makes more sense to placate or even ally ourselves with its more oil-rich and more populous enemies. Those critical issues of values and ideals that play out in diplomacy on the international scene should be second nature to every American. But sadly they often are not—and cannot be when so many of our youth have neither facts about nor confidence in their own American heritage.

Instead, many of our citizens seemed perplexed when they saw pictures of women being shot for adultery in Kabul or of Danny Pearl being filmed as he was tortured and beheaded—as if such barbarity were atypical or the work of an aberrant few sure to be redressed by responsible government. But did they first ask instead, "Do such peoples vote? Do they have an independent judiciary? Do they believe in the worth and dignity of every individual human life? Are their presses free and their media uncensored? Do they tolerate Christians, Jews, Africans, or Asians?" If we asked such questions, perhaps we would be less surprised at the carnage we witness worldwide—and more appreciative of, and thus willing to defend, our own quite singular country here at home.

Cataclysmic changes in our elite culture, especially at our top-tier universities, have filtered down to our schools to cause the erosion of civic education that we have seen over the last three decades. We have not yet seen all the pernicious ripples caused by the great splash of multiculturalism, authoritarian utopianism, and cultural and moral relativism—ideas that are antithetical to civic education, which historically has been national, realistic, and in some sense tragic in its acceptance of man's imperfections, rather than therapeutic in its promise to ameliorate all human woes with enough money, education—and coercion.

These privileged concepts, spawned in our universities and spread by our elite media, our courts, and our politicians, finally have become the assumptions of our public schools, leaving us with the Balkan idea of a racial, cultural, and ideological mosaic rather than a confident American melting pot of shared values. In the process, the core of civic education—mastering the difficult story of the Western experience and Western values—was rejected as racist and sexist. And in its place arose a potpourri of "studies" courses designed to appeal to particular aggrieved minorities on the basis of group identities, not the intrinsic value of ideas—a value dismissed as chimerical. In the new orthodoxy, Aztecs and Zulus, as people of color, were as seminal thinkers as Aristotle and Zeno; the autocratic pharaohs were to be both black and the fountainhead of the Greeks; Toni Morrison spoke more to the contemporary student than did Shakespeare. In the bonfire of values and standards, rejected as

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tools of the privileged to marginalize the poor and weak and keep them in their places, all traditional distinctions of better and worse, higher and lower, went up in smoke. Academic standards fell, to ensure graduation and certification for as many as possible. A standard civility evaporated; in its place arose the lax idea that no one group's behavior or particular culture was any more civil than another's.

The arrogance of the Enlightenment, with its belief that an enthroned and all-knowing Reason could identify and eliminate all social pathologies, played a key, if paradoxical, role in what turned out to be a triumph of unreason and a devaluation of so much that human reason had accomplished over the centuries. In this spirit, because of the rapid material improvement in our daily lives through technological advances and the wonders of mass production, we assumed that the nature of man could similarly be altered in the proper way—albeit with commensurate effort and good intentions. The result was that if poverty or racial insensitivity still existed after such Herculean efforts at enlightened reform and trillions of dollars, then the United States—its values, its history, its institutions, its Constitution—must somehow be totally imperfect and should be condemned outright and drastically altered.

That new ideology of our universities was as negative for our youth as the old civic education had been positive—and our new sophists in the university taught it zealously to our prospective teachers, who passed it on to our public school students. As multiculturalism and relativism filtered down to the elementary grades, such ideas lost whatever urgency they might have had, of course, becoming empty and banal platitudes; "diversity" and "tolerance" degenerated into mere mantras and had as much resonance to their bored audience as the tired slogans in Orwell's *Animal Farm*. Even so, the traditional ideals these clichés had replaced were dead and buried.

The Enlightenment cockiness and optimism that made our elites so impatient with the pace of social improvement—which by any historical measure was actually lightning-fast—also led opinion makers to abandon the old sense of the human precariousness that is characteristic in all civilizations, which, after all, are still made up of mere men and women. Rather than confessing that mankind by its very nature is prone to be murderous, larcenous, sexually predatory, and unjust—and that only liberal institutions, such as our own, can rein in such innate proclivities—we again demanded instantaneous perfection both from the present and the past. Slavery, which was not created in the West and exists today only in the non-West, was seen as a peculiarly American institution and proof of our betrayal of our professed ideals, rather than as an immemorial human vice that we dedicated ourselves to ending, even though it required the deaths of tens of thousands of non-slaveholding Americans.

The segregation and oppression of women—as we see today throughout the Islamic world—is a perennial vice common to men of all ages and locales. Yet our cultural mandarins have convinced many that the failure of America to give women the vote until the 1920s, or to grant them their share of tenured professorships and law-firm partnerships until the 1980s, is proof of a peculiarly American bias, rather than evidence of an ongoing humane process of overcoming traditional prejudice through civic efforts at reform. And because America especially has become so successful in providing freedom and material security to its citizens, its own expectations for social perfection have only accelerated—sometimes outpacing the ability of fragile and imperfect humans to meet them. The hearts of men, after all, are not as rapidly improved as the stereo systems and reclining seats in Detroit's yearly new SUVs and minivans. In all the hurry, the old sense that Americans had a unique and very difficult mission to create a civil society from citizens of all races and backgrounds got left in the dust, and the new conventional wisdom insisted that, because we were not perfect, we are therefore a historically flawed people.

And so we began to tell a new story to ourselves. Even our elementary and high schools too often taught American history—to the small extent that they bothered to teach it at all—as a litany of crimes. The creation of a prosperous society in the unforgiving West by thousands of immigrants from Europe and Asia is overshadowed by the

Freedom from Want

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deliberate massacres of the American Indians—without the complexity of explaining that everything that makes life easier and more humane, from eyeglasses and *habeas corpus* to surgery and trial by jury, was part of the European, not the native-American, tradition; without the truth that native warriors killed one other relentlessly and without mercy well before the arrival of Americans in the West. The transformation of millions of indigent European Irish, Jews, and Italians into prosperous middle-class Americans in less than three generations is the great success story of nineteenth-century civilization, but one that our schools shoulder aside to harp on their miserable exploitation in mines and mills.

Today's students know the Pilgrims not as the first of our many immigrants in search of religious freedom but as despoilers of the Indians—with whom in fact they lived in remarkable harmony, as we commemorate on Thanksgiving. They accept Washington and Jefferson as slaveholders rather than as lawgivers of genius. They know nothing of Monte Casino, Tarawa, or thousands of B-17s plummeting in flames over Berlin—but quite a lot about the Japanese internment and Hiroshima. The Rape of Nanking, the Bataan Death March, and the bloody nature of Japanese militarism have somehow become the moral equivalent of GIs hating "Japs" and waging a "race war" in the Pacific. But if our complex history is to be deemed so toxic, then young students must wonder why anyone should now defend America at all in its hour of need—and why so many, now or in the past, risked their lives to come here.

The elite culture's radical revision of our national story and our sense of ourselves as Americans was part of a larger cultural transformation that also completely remade the schools' teaching of that other large element of civic education—the "Citizenship" we used to get marked on. Four decades ago, the grandees of our culture came to view the virtues that our Founding Fathers had considered essential to the self-governing citizens of a republic as outworn and oppressive. In the "if-it-feels-good-do-it" era, the self-controlled, civic-minded, temperate, and courteous self lost its force as a personal ideal that was so critical to the well-being of others. Henceforth, the true moral persona became the expressive, "authentic" self that was in touch with its inner energies and acted upon them in the most selfish of ways—that let it all hang out regardless of the foolishness and damage that accompanied such an absence of carefully learned cultural restraint.

Civility, dismissed as mere conventionality, became something that people needed to be liberated from: it was an artifact of the 1950s, an era supposedly repressed in sexual matters and in turn repressive in its treatment of minorities, women, and youth. All the proprieties of the ages were reinterpreted as tools for continually reminding women that they were the weaker sex, and blacks and the poor that they were inferiors, who were to stay in their places—where young people were also supposed to remain, voiceless and impotent. In the new cultural order—I witnessed it firsthand at the University of California, Santa Cruz, in 1971, a few months after graduating from a rural high school in central California—the young announced that they had acquired as much (and probably more) wisdom as their elders. Students of 20 assumed that they owed no deference to the adult world and its values—the world that had survived the Depression and Normandy Beach—and indeed that they ought to set the moral tone for an older generation, rather than vice versa.

The idea of multiculturalism, as it took hold, accepted the manners of the underclass—or no manners at all—as no less valid than traditional mainstream protocols, and young people's behavior changed accordingly. That pernicious legacy endures: at a recent lecture at Berkeley I noticed that the campus plazas, benches, tables, classrooms, and bathrooms—the multimillion-dollar academic landscape of California's elite students—were all far dirtier and more unsanitary than the meager classroom and splintered lunch tables that we had once used as children at Jefferson elementary school, among an impoverished, mostly nonwhite student body. Somehow the supposed catalysts for civil behavior—wealth, age, education, and urbanity—now operate in reverse.

The classical idea of civic virtue—the adult citizen accepts responsibilities in exchange for care-

Freedom from Fear

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fully delineated rights—is all but gone. In its place, the new dispensation defined every person (including every young person) as, foremost, a rights-bearing individual rather than a citizen with obligations inseparable from his privileges; thus the era of "citizenship" education truly came to an end, and accordingly the "citizenship" categories had to disappear from the report cards of the nation's elementary schools. The pupil-citizen no longer was obliged to keep his desk clean for others or to accord his teachers courtesy, but instead sometimes sued to be allowed to wear an obscene T-shirt to school or to demand due process when disciplined for plagiarism, dishonesty, or hooliganism. Who now could even imagine giving a grade in "courtesy" or "civility" to a high schooler in a T-shirt emblazoned PIMP? What can one learn of citizenship at schools whose administrators, embracing moral equivalence, suspend bullies and their victims alike when fisticuffs break out?

It is also hard to demand citizenship from kids when parents and teachers often fail to show much evidence of it themselves. Without intellectual or moral authority, teachers seek instead acceptability and friendship at the lowest common denominator, and so often have begun to resemble their students in mind and appearance. Here in California we now at last must insist on dress codes for our pedagogues in order to discourage various body rings, male peroxide hair dyes, and sexually provocative fashions. Old-fashioned teachers who insist on punishing plagiarism and intellectual theft often get no support from their superintendents but plenty of abuse and calumny from parents—witness the recent widely publicized scandal at a Piper, Kansas, high school, where school authorities made the teacher who caught 28 plagiarists lighten their punishment. And former students at an East Palo Alto elementary school recently reported that their teachers helped them cheat on standardized tests—under pressure, a former teacher says, from administrators.

Even school sports have lost their once powerful civic education component. We have abandoned an entire nomenclature of civic sportsmanship—"teamwork," "unselfish," and "sacrifice"—to describe the ethics of team sports, which once were about social responsibility as well as individual prowess. Our coaches assumed that the best team would be composed of those kids who learned to work in cohesion, the gifted athletes together with those valuable for their "guts" and "hustle." Coaches used a creative negative vocabulary—"showboating" and "dirty play," for instance—to describe stars who failed to honor the ethic of sportsmanship. Today, team competition is geared to the accomplishment of superstars, who more often deliberately use the contest to showcase their own talents—and so enhance their future earnings.

Restoring civic education—from the daily practice of its rituals to real mastery of the elements of Americanism—will not be easy, but such a shared sense of values is critical in such a vast nation that is otherwise not defined by a shared religion, common race, or dominant ethnic affiliation. After September 11, most Americans, in their slogans, flags, and posters, yearned for greater accord: "United We Stand" and "One from Many," read some of the ad hoc banners. We are coming to realize that we cannot survive as a nation under today's pernicious conventional wisdom of division and separatist cultural protocols—ideas based on misconceptions and outright untruths about the American past. Even the most jaded among us is beginning to sense that al-Qaida hates Asian, Hispanic, black, and white Americans alike—our women as much as, or more than, our men; Catholics, atheists, Protestants, agnostics, Jews, Buddhists, and Sikhs as infidels all. Our enemies see us as one united people even where we ourselves do not. And we are slowly re-learning the age-old lessons of war, that the spiritual is far more important than the material: that all the F-16s in the world will not guarantee us victory unless our pilots who fly them, mechanics who service them, and taxpayers who pay for them feel that they are shooting, repairing, and working for the preservation of their own common civilization that must not fall prey to barbarism.

Now it is the duty of teachers to harness this natural energy of coalescence into something better. They must transform our natural comfort with uniform and inclusive tastes in food, entertainment, and fashion into a finer and more exalted sense of national purpose and heritage—an informed and heartfelt civic virtue that transcends Taco Bell, Oprah, Britney Spears, and *Star Wars*. ■

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How the Mayor Should Fix the Schools

Okay, he won control. Now, how should he use it? Here's a blueprint for reform.

Anthony P. Coles

In June, Governor George Pataki signed a state law giving Mayor Michael Bloomberg effective control of New York City's public school system—a magnificent victory for Mayor Bloomberg. Now, New Yorkers who care about education can do what the mayor dared them to: hold him accountable for school progress.

Riding currents of reform Rudy Giuliani had set in motion, Bloomberg navigated Albany's treacherous political waters with mastery. He showed toughness at the negotiating table, making clear to the State Assembly leadership that he would not accept compromise solutions or half measures. He showed toughness again by refusing to negotiate a new labor contract with the politically mighty teachers' union until he achieved real school governance reform—though in the end, part of the price he paid for his momentous victory was a generous and undemanding contract with the teachers.

Bloomberg's win creates an extraordinary, nationally significant opportunity to improve public education. Gotham's 1,100 schools educate 1.1 million kids—or one in 50 public school students nationwide—making the district nearly as large as the next two biggest districts *combined*. The old Board of Education, to which the mayor had only two of seven appointments, was a rules-bound, change-resistant bureaucracy that achieved dismal results. Only about half the city's public school students finish high school in four years (and only 70 percent finish by age 21); in reading, only 40 percent of third- through eighth-graders score at an acceptable level, compared with only 34 percent in math. The state officially classifies some 100 Gotham schools as failing, and nearly 300 others are almost as bad. The city's poor and minority students suffer acutely from this miserable performance: they are not being adequately prepared to function as productive citizens. Improving the schools, therefore, is the last civil rights battle.

The new legislation will let the mayor appoint the schools chancellor and eight of the 13 members of a newly established, unpaid Board of Education. Stripped of its staff, offices, and perks, as well as responsibility for the day-to-day management of the schools, the new board will (or should) function more like a good corporate board that provides fiscal oversight and expertise, and that puts the interests of shareholders—the children—first. Unlike the old board, which meddled even in routine contracting and procurement decisions, the new board won't go beyond approving citywide questions of policy. The deal will also probably eliminate the 32 locally elected community school boards, vestiges of the system's failed decentralization experiment, and too often patronage havens of waste and graft.

As a candidate, Michael Bloomberg had scores of ideas—some promising, some gimmicky—on how to improve the school system. But more important than the details, his brash promise to gain control of the schools was his agenda's centerpiece.

Okay, now he's got control. What should he do with it? With high school seniors needing passing

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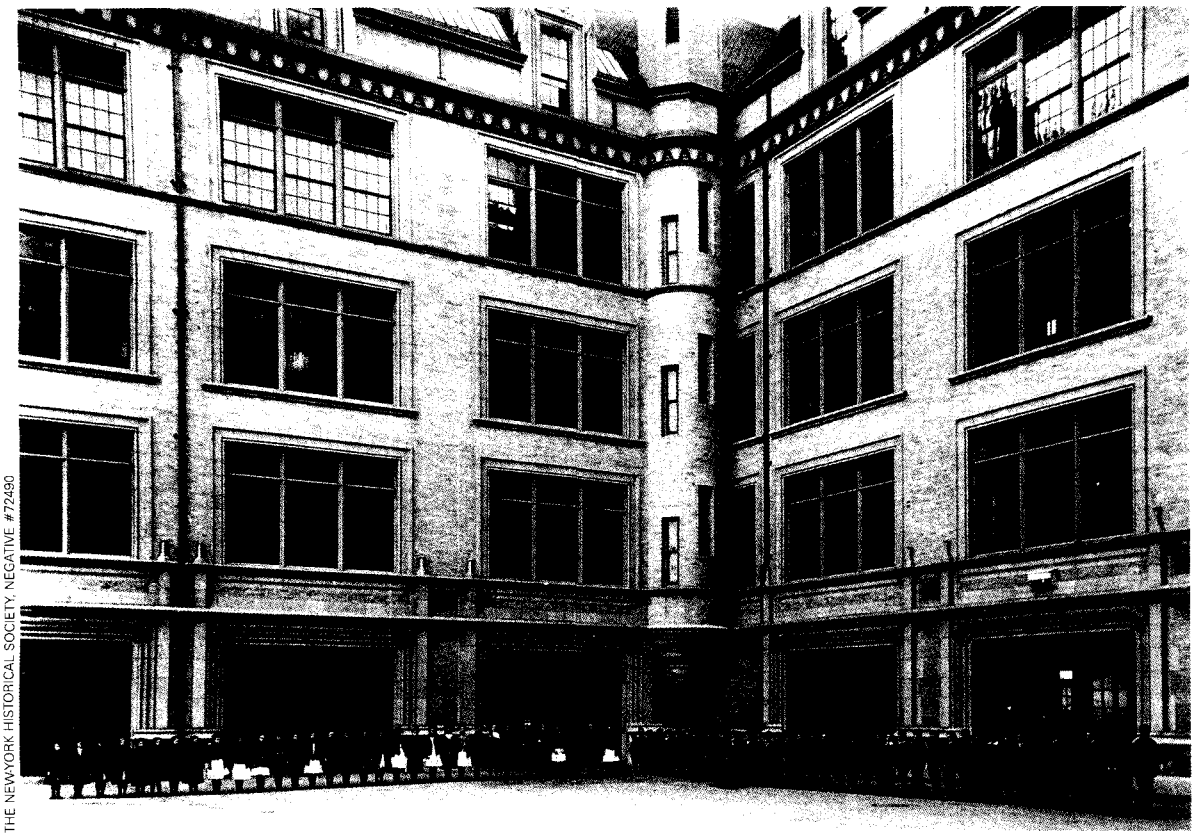

THE NEW-YORK HISTORICAL SOCIETY, NEGATIVE #72490

Most schools should have a uniform, back-to-basics curriculum.

scores on five Regents tests to graduate beginning next year, and parents' frustration with the status quo palpable, he needs to make big changes and win big successes, fast.

The first and most important decision he'll make is choosing a chancellor. He should find somebody from outside the system, unconstrained by existing relationships or by vested interests in certain programs or approaches. The new chancellor must be unafraid to shrink the bureaucracy radically and transfer much of the old board's functions to the individual schools.

Second, the mayor and new chancellor should establish a uniform core curriculum for most schools, to replace the current jumble of approaches and programs. Today's curriculum is a mishmash that reflects the growth of progressive and alternative educational programs, the heated disputes about phonics versus whole language, new math versus old math, and the now-tired debates about how to teach history and whether to legitimize Ebonics. It is not sufficiently focused on basic skills, particularly in elementary and middle schools.

Too many teachers assume that getting students excited about learning requires engaging them on ethnic or racial terms. But Francine Prose, dissecting high school English curricula in *Harper's*, was right to criticize schools for pandering by choosing books they think will teach children about their own lives, not other lives, and by encouraging snap moral judgments rather than close, careful understanding of what is on the page. The mayor and his schools chief should apply the same no-nonsense skepticism to New York's curriculum.

Though the Board of Ed sets forth general guidelines, curricular content and quality vary significantly from school to school and even from classroom to classroom for no good reason. This past

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year, for instance, many parents understandably were outraged when some schools decided to teach "fuzzy math," which minimizes the use of long division and other basic operations in favor of students working in groups and "discovering" their own answers from reading various passages. As one parent observed, "The kids don't learn the basics. Math is like a musical instrument. You have to practice it."

Chicago, the first major city to give control of the school system to the mayor, rightly made a back-to-basics curriculum a core priority. Paul Vallas, Chicago's schools chief from 1995 to 2001, replaced his system's jumble of reading and math curricula with an easy-to-follow uniform curriculum that focused on basic reading and math skills. In the first three years after mayoral control, Chicago students increased their test scores in every category, at virtually every grade level. Though test scores didn't soar, progress was still dramatic, with the number of students reading at grade level increasing about 15 percentage points over three years.

But expect a rush to the barricades if Mayor Bloomberg so much as hints at reassessing the curriculum. Various influential advocacy groups view schools as incubators of political ideology rather than of actual skills—as witness their opposition in 2001 to the Board of Ed's inept, and failed, effort to contract with the Edison Schools, a for-profit education company with a strict back-to-basics approach, to turn around five chronically failing schools.

Leading the opposition was ACORN, a far-left advocacy group, whose website proudly announces the arrests of its members at City Hall rallies. The group pushes to incorporate discussions about racism and community organizing into daily schoolwork. It touts highly political and contentious course offerings, like the history of Crown Heights (site of a recent race riot), and turns biology courses into explorations of "environmental justice." According to one teacher critical of an ACORN curriculum that has infiltrated a Brooklyn high school: "There has to be a balance. You can't be thinking about how screwed up everything is all the time."

In addition, the teachers' union holds firm to the dogma that what happens in the classroom is nobody's business but the certified professional's in front of the blackboard. The current teachers' contract even prohibits principals—those on the line for a school's performance—from reviewing their teachers' lesson plans. But just as war is too important to be left to the generals, curriculum is too important to leave to the teachers.

Fortunately, the current chancellor, Harold Levy, has made some progress on this score. He has managed to work with the unions to impose a more prescriptive curriculum in reading and math in the Chancellor's District, comprising about 45 of the city's worst schools. The reading curriculum, Success for All, a phonics-based system developed by Johns Hopkins University that emphasizes heavy drilling and frequent testing of students, along with carefully prescribed lesson plans for teachers, has significantly boosted reading performance in those schools, where nothing else has worked. The mayor does not need to appoint task forces to come up with new curricula—there are plenty of battle-tested models, in math as well as English, that can be put in place by this September.

Not every school should have to follow the new curriculum to the letter; a city with so many skill levels needs to allow some variation—which is also necessary for building a more internally competitive system. But the goal should be to give every teacher a clear road map, free of cant and multicultural relativism, of what every student should learn. That should include civics, American history, and geography, as well as the foundations of Western civilization and culture. Extended explorations into diversity, identity, and ethnicity can wait. First things first.

While they fix what's being taught, the mayor and new chancellor must confront who's doing the teaching. As long as our school system refuses to reward the best teachers with even a dollar more than the incompetent teachers—as long as it continues to base all compensation on years of service and largely useless continuing-ed classes (many taught by the union)—how can we take seriously the proposition that it embraces excellence? As the Manhattan Institute's Jay Greene wrote recently: "If we do not reward productiv-

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ity, we are unlikely to encourage it. If we do not encourage it, we should not expect more of it."

Merit-pay models abound, and naysayers find flaws with every one. And, sure, because of the complexities of statistical analysis and standardized testing, no such system is ever likely to be perfect. But the lack of a Holy Grail reward system hasn't stopped the private sector from implementing plans that are as fair and objective as possible—because the private sector understands that even imperfect plans are very good at encouraging better performance. In the city schools, principals have a powerful incentive accurately to reward teachers who are doing a good job, because the principals' own performance (and compensation) depends in part on the quality and success of the teachers in their schools.

"Fully 40 percent of city teachers recently required to take the basic teacher certification test flunked."

But implementing any form of merit pay will take tireless advocacy. Having held off eight years of aggressive Giuliani administration attempts to link pay more closely to performance, the teachers' union is not about to have a change of heart. The union will be dragged into any differentiating pay plan kicking, screaming, and suing. The union's antipathy to evaluating individual teachers on the merits is so intense that, in the summer of 2000, the union leadership rejected a pay hike for all summer school teachers, because teachers whose students' learning improved would have been given merit bonuses in addition.

The mayor and schools chief must continue this fight. Imagine how attractive the New York City schools would immediately become to talented and dedicated young educators if they offered high salaries to top performers, rather than making them wait decades to earn higher pay. In place of pay plans that reward individual teachers, the unions have proposed a collectivist approach, rewarding entire schools for their success in improving student performance. But exemplary and dedicated teachers surrounded by incompetents will soon grow demoralized, and effective teachers will shun under-performing schools. On the other hand, incompetent teachers surrounded by smart, hardworking peers will pocket money for the accomplishments of others.

The mayor should change the debate from teacher quantity to teacher quality. The ranks of New York City teachers include far too many duds and not enough decent teachers. Fully 40 percent of city teachers recently required to take the basic teacher certification test—a measure of mere competence, not excellence—flunked.

State law and union rules may mandate a given class size, but beyond meeting those standards, the mayor and his schools chief should not spend a dime on shrinking class size further. It's just not worth the investment. Smaller class size has become a teachers' union mantra, because it means that the city must hire more teachers. The union has also tried to convince New Yorkers that there is a teacher shortage. There isn't: the 80,000 teachers now in the system is the highest number ever—amounting to one teacher for every 13 students, the best ratio ever.

Our goal should not be to hire as many teachers as possible; it should be to hire as many smart, promising teachers as possible, rewarding excellent teachers within the system, improving the performance of the others, and weeding out the dead wood. If that happens to result in a net decline in the number of teachers per student, fine. Further, we should make sure that the best teachers actually teach in the classroom. Several thousand effective, mostly senior, teachers do not actually teach, because they are assigned to administrative, supervisory, or union duties, or they are on sabbatical. Most of this is not as important as being in the classroom.

By the same token, the mayor and new chancellor should encourage bright candidates from all fields to become teachers by expanding the board's now-limited alternative-certification programs, in place of the present system that requires teachers to obtain education degrees as a condition

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of certification. Aspiring and talented teachers with real knowledge in a particular field should not have to slog through a series of largely irrelevant education courses to get certified.

The school system should learn from its successes. Two charter schools, the KIPP Academy and the Bronx Preparatory Academy, are among the several city public schools that, by forging a disciplined school culture and focusing relentlessly on fundamentals, have put low-income children who might otherwise fall through the cracks on the path to college. In particular, the Bronx Preparatory Academy's stunning success in teaching math is a model worth cloning.

These schools, which can't come close to satisfying demand, must not become jewels lost in the sandbox; the whole box must sparkle. The mayor and his schools chief should announce a concerted campaign to replicate schools that work. Bloomberg should create a crack team—call them educational venture capitalists—to single out exemplary schools ready to be scaled up and then, without tinkering with the original product, to reward these schools with the sincerest form of flattery: imitation.

It's also time to end social promotion—this time for real. Social promotion is the practice of advancing students to the next grade, even if they have not acquired the skills necessary to perform the work of that grade. But students who are socially promoted fall further behind each year and are far more likely to drop out of school. As they struggle and ultimately give up, they tend to make the school atmosphere less conducive to learning for their peers.

Two years ago, the Board of Education, at Mayor Giuliani's urging, formally voted to end social promotion. At the same time, Chancellor Levy substantially expanded summer school and required failing students to attend and show academic improvement as a condition of being promoted to the next grade. The result: summer school became the new social promotion. Many students who flunk remedial summer school are promoted anyway, including some whose test scores actually *decline* after their summer course work.

Amazingly, many educators encourage social promotion on the grounds that those who are not promoted are stigmatized. They overlook the more destructive stigma of not being able to read at grade level. But social promotion's defenders are legion: teachers are reluctant to hold students back, administrators resist it because they feel it complicates running their schools, parents often object to having their children repeat a grade, and the board opposes ending social promotion.

Again, Chicago's example is instructive. It took a year or two of real holdbacks—and predictable howls of outrage by the protectors of the status quo—for the system to absorb the message that ending social promotion was real policy, not rhetoric. New York City schools need to show the same seriousness.

Mayor Bloomberg had the courage, in this linguistically sensitive city, to say bluntly on the campaign trail that in order to succeed in the United States, students must speak and read English fluently. Now he must put that sentiment into action and dismantle New York City's two-tier, dual-language educational system, in which students who speak other languages at home—usually Spanish—are trapped in second-rate classes in all subjects for years, often for their entire school careers. The four-year high school graduation rate among Hispanics is under 40 percent.

Less than 27 percent of the students in the city's elementary school bilingual programs attain English proficiency. In middle school, the figure plummets below 12 percent. And these students perform far below the already sub-par levels of the rest of the city's schoolchildren. Some 6 percent of elementary school bilingual students perform at acceptable levels in English, and 10 percent in math; by middle school, the rates are halved.

By contrast, the English immersion model is working in California—just as it worked in New York City for previous waves of immigrants. California's proportion of Latinos with reading-test scores above the 50th percentile rose from 21 percent in 1998 to 35 percent in 2001. For math, the increase was from 27 percent to 46 percent.

Of course, even the most modest bilingual education reform runs into huge institutional and legal

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THE NEW-YORK HISTORICAL SOCIETY NEGATIVE #5671

Since teacher quality matters more than teacher quantity, educators should be paid according to merit.

resistance in New York. For instance, when Chancellor Levy ordered some changes in bilingual education in 2000, including ending the automatic assignment of non-English-speaking students to bilingual classes, the Board of Ed's entrenched bilingual education bureaucracy simply suffocated this change—as it does all such efforts at reform, in conjunction with various bilingual-ed advocacy groups. These bureaucrats regularly counsel parents, in their native language, that enrolling their children in bilingual education is the only way to preserve their family's cultural heritage: in fact, it is the only way for the bureaucrats to keep their jobs. The mayor and his schools chief should clean out this bureaucracy forthwith and teach kids English.

Like bilingual education, special education for kids perceived as difficult to educate is another second-class system—an academic black hole from which students rarely graduate. Once assigned to special ed, a student has about a 2 percent chance of returning to mainstream education. Yet since 1975 the city's special-ed population (largely African-American and Hispanic) has grown 370 percent, from 35,000 students to 161,000. A recent study found that only 15 percent of special-ed students actually met the state's criteria as being learning-disabled. Many of the rest have been diagnosed with such ill-defined problems as "learning disabilities" or "hyperactivity" and relegated to an inferior education for the rest of their academic lives. Or they have behavioral problems that the board has been unable to address properly. To make matters worse, special ed costs twice as much per student as general education—or more.

The mayor should insist that the school system distinguish between students who are truly disabled and those who are behavior problems. The former should go into special ed; the latter into a

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"Second Opportunity School," like the Wildcat Academy in the Bronx, which effectively educates students with disciplinary problems. While many kids with genuine disabilities need special ed, the mayor and his chancellor should place the burden of proof on those who want to enter special programs, rather than, as today, those who want out of them.

On the model of the NYPD's Compstat, the best accountability model ever implemented in this city, the mayor should create a Schoolstat program to evaluate principals and superintendents based on results. When a school district's truancy rates are rising, dropout rates are high, test scores are falling—when its students are stuck forever in bilingual or special ed, or other warning signs are flashing—someone needs to be called on the carpet to tell his supervisors his plan to fix the problems. As with the Compstat model, every school superintendent should be required to attend a regular Schoolstat meeting with the chancellor to evaluate the performance of the schools in his district. And Schoolstat meetings must apportion acclaim as well as blame, since success deserves praise—and real rewards.

Mayor Giuliani's efforts to persuade the Board of Ed to start such a program met protests ranging from "we already do it" to "it is only appropriate for a paramilitary organization" to "we don't want to be so hard on our employees." The truth is that, though the board currently collects reams of information, none of it is properly analyzed or managed. More often than not, the board can't supply accurate information on subjects as simple as the total number of students in various programs or the number of teachers who actually teach in the classroom or how many textbooks a particular school has ordered. And it is virtually impossible for the chancellor to be sure that so unaccountable a system efficiently implements his directives.

The mayor should not forget school choice. The city's parochial schools offer generous financial aid, and a handful of families have been lucky enough to win lotteries for private school scholarships. But for the middle- or low-income family that can't afford private school tuition, that's just about where the options end. In addition to a smattering of schools that focus on a particular theme and attract talented students, only 19 charter schools offer families any alternative to their zoned schools.

As long as there is no competition to the public monopoly, there will be minimal internal pressure for failing schools to reform. A committed mayor and chancellor can make a big difference reforming the schools from the top down, but only competition can spark sustained ingenuity from the ground up. That's why Mayor Bloomberg should lobby the State Legislature to give city charter schools a much fairer share than the two-thirds of per-student funding they currently get. Again, the teachers' union—opposed to charter schools, which when sufficiently small don't have to use union teachers—will go to the mat to stop this, but it is worth the fight.

Vouchers have become a litmus test for chancellor candidates. Candidates utter the word "competition" at their peril, inviting disqualification by the Board of Ed. When in 1998 Mayor Giuliani dared to propose a voucher pilot program for poor students in failing schools in one of the city's 32 school districts, then-chancellor Rudy Crew vociferously (and unexpectedly) threatened to resign.

Mayor Bloomberg must pick a schools chancellor with the courage to welcome competition and to implement a publicly funded voucher plan. State law gives a chancellor the authority to "encourage local school-based innovation." To start, the chancellor could pick areas of the city where families have applied in overwhelming numbers for the woefully limited number of private vouchers. There is no reason why poor families—whose children the city now requires to attend failing schools—should not be given some choice in where they send their children. Public schools will always educate most of our students, but there is no reason to insulate those schools from the benefits of innovation and energy that come with competition. And there is no reason why the government, rather than parents, should choose where children go to school.

New York needs to create more elite schools at all levels. Remember that the city is home to the

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brightest and most enterprising students in the country, who routinely excel in nationwide academic competitions like the Intel Awards in Science and Technology. Yet Gotham has only a few traditional high schools that have competitive admissions. These high schools—Stuyvesant, Bronx Science, and Brooklyn Tech—are among the best in the country.

The mayor should build more competitive high schools, as well as middle schools and elementary schools. The board already has taken steps in this direction with the creation, in conjunction with Bard College, of an accelerated high school/college program. It has also established "gifted" programs in a number of elementary and middle schools. The new chancellor should expand and emphasize these efforts, starting with several more advanced high schools now being considered on City University campuses. In addition to setting a standard for the entire system, these schools will help retain those middle-income families that now leave the city only because they are dissatisfied with the public schools and can't afford the private alternative.

"The mayor should create a Schoolstat program to evaluate principals and superintendents."

There will always be those who blame the system's woes on a lack of money. But the city's schools have a $12 billion budget—over 30 percent of the city's overall budget. Averaging nearly $11,000 a year, per-student funding is among the highest in the nation. As Mayor Giuliani noted, if the first $12 billion didn't create an effective school system, it is hard to believe that the 13th billion will make all the difference.

But given the waste that now bleeds money away from classroom instruction and into food services, janitorial services, construction, busing, purchasing, and other support services, there should be more money—much more—left over for what matters. Only about 51 cents of every education dollar actually makes it to the classroom. The central board and the local boards scarf up the rest.

Mayor Bloomberg should insist on outsourcing as many of these services as possible. For instance, Marriott and other vendors are providing cost-effective food services under contract with school systems across the country, serving nourishing meals that kids like. Again, the mayor will have to gird for battle if he takes up this cause. Not only do the unions object to outsourcing; so too do the local politicians who rely on union support and use the Board of Ed as a patronage operation, rewarding party foot soldiers with jobs.

The system's $1 billion-a-year capital budget can also go much further with smart financing and construction strategies. Mayor Bloomberg should commission private firms to build turnkey schools in competition with the School Construction Authority—perhaps as a step toward the ultimate abolition of the SCA. [See "Why New York Can't Build Schools," Spring 1998.]

No silver bullet—or even ten silver bullets—will fix completely a system so large, complex, and chronically mismanaged. But this reform agenda will take the mayor a long way toward achieving the success that all New Yorkers wish him.

Still, however reasonable all these suggestions might sound, no one should underestimate the ferocity of political opposition that will arise against them from the teachers' union and its allies in Albany, from the bilingual-ed and special-ed establishment, from the politicians who use the schools' paraprofessional, cafeteria, and crossing-guard jobs as patronage posts, from the politically connected suppliers and consultants who have existing contracts with the schools, and from consent decrees and legislative mandates that entrench bilingual- and special-ed programs and micromanage school governance. All these special interests will fight for the status quo with every means at their command. It's the mayor's job to fight for the one interest that has no power: the children.

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The End of Herstory

We're all feminists now. But how come young women won't call themselves that?

Kay S. Hymowitz

When you ask young women today if they think of themselves as feminists, more often than not they will pause for a moment. Then they will answer something like: "Well, I believe in equal pay for equal work," or "Yes, I do believe women should have choices," or "Of course, I believe women should have equal rights."

If these are the principles that define feminism, then we are all feminists now. And the future belongs to feminism, too: a 2001 *American Demographics* survey of adolescent girls entitled "The Granddaughters of Feminism" found that 97 percent believe women should be paid equally, while 92 percent believe "lifestyle choices" should not be limited by sex. Curiously, the war on terror has, if anything, solidified our commitment to women's rights, though orthodox feminists opposed it as another dangerous example of "the cult of masculinity." The sight of women forced to scurry about in sacks brought home to Americans just how much they treasured their freedoms, including those won for women over the past decades. For a remarkable moment, President Bush and Eleanor Smeal of the Feminist Majority, which had long tried to bring Taliban mistreatment of women to the State Department's attention, seemed members of the same party—which, seen against the backdrop of radical Islam, they actually are.

But how do we explain that pause that comes when you ask women if they consider themselves part of the movement? The truth is, very few Americans

Illustrations by Arnold Roth

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are capital "F" Feminists. Polls show that only about a quarter of women are willing to accept the label. Younger women seem no more comfortable with the title than their grandmothers were. Marie Wilson, president of the Ms. Foundation for Women, has admitted that the elite young women who 20 years ago would have been the generals of the movement are feminists "by attitude . . . [but] are not interested in hearing about organized movements or activism." They mostly do not join NOW or read *Ms.* magazine. They don't think of themselves as second-class citizens of the patriarchy, or follow "women's issues" in the news, and their marital status seems as likely to predict how they will vote as their sex.

Activists who try to make sense of these young feminists who are not Feminists conclude that the movement has an image problem. The reason so many people believe in feminist goals yet reject the label, they say, is that the media have given us a cartoon picture of liberationists as humorless, Birkenstock-wearing man-haters, our era's version of the old-fashioned spinster. Feminism is still an "unfinished revolution," they say, and young women share its goals. They just don't like the packaging.

But this explanation falls far short. Feminism is not simply suffering from a P.R. problem. It's just over. As in finished.

Supporters will smile and reply that the movement has been read its last rites often during its lifetime. What's different now, though, is that feminism appears not so much dead as obsolete. Yes, it has bred a generation of empowered young women. But rooted in a utopian politics that longs to transcend both biology and ordinary bourgeois longings, it cannot address the realities of the lives that it has helped to change. Young women know this, even if their mothers do not.

Up until a year ago, Amanda Laforge could have served as a poster girl for *Ms.* After graduating from Boston University, she went to American University law school. When she married, she kept her maiden name and her job with the Maryland secretary of state. When she got pregnant, she continued commuting 45 minutes to her new job at the state attorney general's office. When the baby came, she planned to take three months' maternity leave, and then return to the office for a continued climb up the career ladder.

It didn't turn out that way. Instead of becoming super career mom, she quit her job. Yet she shows no symptoms of Oppressed Housewife Syndrome. Isn't she bored? "No. I love it." Does she miss her job? "I do miss working—or at least having colleagues. I've started to look for part-time work." Does she worry that she is not her husband's equal? "I feel superior to my husband," she sniffs. "Women are much more powerful." But won't her career suffer? "I'm struggling with this personally right now. I know I've already compromised my ability to reach the height of my career. But I see a lot of room to make up." Is it so easy to put aside your career? "No, but I had friends whose mothers were career women who just got caught up in something. Now they've worked for 25 or 30 years for X company, and they didn't get to such enormous heights. Would their lives have been that much different if they had worked part-time? I know a lot of fairly educated people," Amanda concludes, "and no one is looking for more time at the office."

It would be a big mistake to see Amanda as a return to 1950s milk-and-cookies motherhood or as evidence of the backlash that Feminists announce with every article by Katie Roiphe. It would be equally wrong to conclude that most young mothers today are quitting work to be with their babies. Many are; but many others are working part-time, or two days a week at the office, say, and three at home. And, yes, many others are going back to work full-time.

But regardless of how they arrange their lives, women like Amanda illustrate a truth that Feminism never anticipated and is still busily denying: after the revolution, women want husbands and children as much as they want anything in life. It's not that the daughters and granddaughters of feminism don't respect those who forgo marriage and motherhood: in the *American Demographics* poll, 89 percent of adolescent girls said a woman does not need a man to be a success, and the percentage of single women between 35 and 44 has increased significantly since 1960. But the vast majority of young women continue to tell pollsters that they want to marry and have children, and they go on to do so. Census experts predict that upward of 90 percent of today's young women will eventually marry, which

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means, remarkably enough, that women today tie the knot at a rate similar to that of their grandmothers. Moreover, even with the widely publicized decline in fertility in recent decades, a large majority of women will also become mothers; as of 2000, 81 percent of women aged 40 to 44 had given birth to at least one child.

After giving birth, moreover, not many embrace the one preferred Feminist solution to liberated motherhood: dropping the baby off at the day-care center for 50 hours a week. According to another *American Demographics* study, having come from broken or latchkey homes, most Gen X-ers think the best arrangement is for one parent to stay home with the kids, a belief that other polls suggest the majority of Americans share. This usually means Mom, even after three decades of feminism and a concerted effort to get fathers to man the nursery. A 1996 Census Bureau report shows that 42 percent of children under five have a parent at home full-time, another 19.4 percent part-time—and the large majority of these parents are women. The latest Census Bureau numbers show that 55 percent of women with infants were in the workforce in 2000, compared with 59 percent two years earlier—the first such decline since 1979.

"Young women are far more likely to feel pressure to be 'super career women' than to play Ozzie's Harriet."

It's no wonder that Feminists have a hard time accepting that trends like these could represent what women actually want. After all, Feminists of the 1960s and 70s took to the streets on the premise that women wanted to escape from the prison house of the bourgeois home and take up positions in the office and the boardroom, where the real power lies. Women consigned to the role of housewife and mother measured out their days with baby spoons and dirty socks, but work, it seemed to these followers of Betty Friedan, would give them adventure, self-expression, freedom. In the seventies, the offices of *Ms.* and other feminist organizations sported signs proclaiming WOMEN WORKING!

Echoes of this kind of thinking still resound in aging Feminist circles. In her recent book, *Flux*, for example, Peggy Orenstein explains that work or career "requires the assertion of self," whereas in wifehood and motherhood "your whole identity as a person gets swallowed up." In the same vein, several years ago a successful screenwriter of about 50 told me that she was contemplating divorce. When I expressed sympathetic alarm, she hastened to explain that there was nothing wrong with her marriage; it was just that "I hate that word 'wife.' It's not who I am."

Such talk has about as much resonance as "Remember the Maine!" for younger women. For one thing, the romance of work—what might be called the Feminist mystique—has faded. Young women, as more than one I interviewed put it, are far more likely to feel pressure to be "super career women" than to play Ozzie's Harriet. That doesn't mean that those fortunate enough to have challenging jobs don't take great pride in their accomplishments or enjoy the intellectual stimulation they get at the office. And it doesn't mean that there aren't plenty of young women as fiercely ambitious as Duddy Kravitz. But many are put off by the single-minded careerism they associate with Feminism. In *Feminist Fatale: Voices of the Twentysomething Generation Explore the Women's Movement*, Paula Kamen interviewed a number of such skeptics. "There are many women in this field in their late thirties who don't have a family and their entire social life revolves around the job and people [on the job]," says one twentysomething. "I think that's horrible."

Remember also that the majority of women in their twenties and thirties watched their own mothers go to work but didn't see adventurers and heroines. They saw tired women complaining about their bosses and counting the days until the next vacation, just as women their mothers' age saw their fathers doing. And they know from personal experience that taking a meeting with a client or lunching with colleagues involves every bit as

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much of the role-playing that Feminists wanted to escape. "I worked 60 hours a week from the time I got out of college till I got pregnant," one Boston-area 30-year-old marketing executive said. "I was tired of it. My job is not emotionally fulfilling. I like it, but it's just a job."

In short, for these women the personal is not political—it's, well . . . personal. Even the most ambitious young women refuse to judge the housewife as, in Betty Friedan's words, a "waste of human self." Sara Ely Hulse, a recently married 26-year-old CBS producer proud of her "independent nature," would seem a logical candidate for Feminist skepticism toward housewifery: her career is so promising that she and her husband consider appointing him the main caregiver when they have children. But when I asked whether she looked down on her mother, who had stayed at home to raise her and her two sisters, she answered heatedly: "Oh God, no! I loved having someone to come home to every day." A young D.C. lawyer-mother I interviewed, though she went back to work three months after giving birth, is also entirely sympathetic to stay-at-homes. After all, when she gets together with friends, she says, "All we talk about is our babies."

Nothing illustrates this reclaiming of the personal more clearly than the Mrs. question. For sixties feminists, becoming Mrs. John Smith epitomized both women's second-class status and their economic and psychological dependence on men. Indeed, former NOW president Patricia Ireland wrote in her recent memoir, *What Women Want*, that a woman taking her husband's name "signifies the loss of her very existence as a person under the law." Pshaw, younger women say; it doesn't mean anything of the sort. You can keep your name if you want—and many women do, as often for practical as for philosophical reasons. You can hyphenate your name or use your maiden name for work and your married name everywhere else. Or if you want to have the same name as your husband and children, go for it. "A lot of women in my office said keeping your maiden name is a hassle, like when the school calls, or the kids' doctor, and asks for you using the child's last name," the independent-minded Sara Hulse said. "I hate hyphenated names—so I changed my name." The D.C. lawyer explained that her decision to use her husband's name was prompted by her experience growing up with a divorced and remarried mother. "I had a different name from my mother," she recalls, "and it always bothered me."

Single women, especially those in their later twenties and early thirties, have other reasons to feel impatient with the Feminist mystique. They followed the careerist script to a tee: they worked until 10 PM, got flashy jobs, fought for promotions. Meanwhile, they had sex when they felt like it, indifferent to whether their partner was husband material or not; they lived with their boyfriends, shrugged when that didn't work out, and moved on to the next one. But after some years of this, many are surprised to find that the single life is less like *Sex and the City* than *The Apartment*.

"Sex is an easily attainable, feminist-approved goal, one that carries less stigma than admitting to loneliness or desperately wanting emotional connection with a man," writes Katherine Marsh in a *Washington Monthly* article, in one of several youthful critiques of Feminism that have recently appeared. "While feminists can solidly advise on how to get rid of a man—obtaining a fair divorce or a restraining order against an abusive spouse—it's fairly mute on how to find love and live with a decent man." Vanessa Grigoriadis, writing in a recent *New York Magazine* article, tells of a woman whose parents, in thrall to the feminist career mystique, refused to pay for a wedding if she married before 30. But now she and her peers are feeling uneasy. "These days, the independence that seemed so fabulous—at least to those of us who tend to use that word a lot—doesn't anymore."

These younger women are especially peeved that, in promoting female independence, Feminism denied biological realities that now loom large. Feminists often like to talk about the "click"—the moment when a woman experiences discrimination so clearly that she sees her whole life in a radically new light. For a lot of younger women, the "click" moment has now arrived in a totally unexpected form. With the torrent of media coverage following the recent publication of Sylvia Ann Hewlett's *Creating a Life*—publicity that focused on

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the fertility problems of older high-achieving women—everything looks different. For just as there are no atheists in foxholes, there are no Feminists in the throes of fertility anxiety.

"I'm 28 and grew up in Manhattan, attended a competitive private high school and a liberal-arts college," marvels Grigoriadis, "and at no point did anyone bring up the notion that the sexes were anything but equal. To me, it seemed like ideology was going to triumph over biology." The "unwillingness to confront the personal—more precisely the feminine personal—is the biggest failure of the Second Wave," Sarah Blustain, the 32-year-old managing editor of *The New Republic*, has written. ("Second Wave" feminism is sixties and seventies feminism; First Wavers were the suffragettes.) "It's why the movement has refused to deal with the fact that even *after* the Revolution, many women want to marry men and bear their children. . . . It's why, just this month, *Time* ran on its cover another installment of the Baby vs. Career story that drove women I know to tears for reminding us of the incredible double bind."

Even young women who embrace the Feminist label have a beef with Sisterly avoidance of "the feminine personal." Susan Jane Gilman, author of *Kiss My Tiara: How to Rule the World as a Smartmouth Goddess*, is one of Feminism's more dutiful daughters in many ways—her pet issues include abortion rights, sexual harassment, and domestic violence—yet she says: "For women today, feminism is often perceived as dreary. As elitist, academic, Victorian, whiny, and passé." Young women Gilman's age don't remember the thrill of the bra-burning, let's-do-it-in-the-road seventies; instead they went to the thin-lipped, Catherine MacKinnon school of Feminism, where they learned that even their younger brothers were potential harassers, even rapists. They're having none of it. Calling themselves girlie feminists, lipstick feminists, or sometimes just Third Wavers, they have taken to flaunting the very femininity that Feminists had scolded would lead men to objectify them.

If there is a beauty myth, these renegades are true believers. They want their lip gloss, their Victoria's Secret lingerie, and their MTV. Oxford student Chelsea Clinton, pictured recently cuddling with her boyfriend in a Venetian gondola and at a Paris fashion show with a deep décolletage and enough mascara to paint a fence, appears to be a girlie feminist. At her age, her mother sported geeky glasses and unkempt hair, emblems of the I've-got-more-important-things-on-my-mind-than-attracting-a-man branch of Feminism, the Second Wave incarnate.

Still, it is more than nail polish that makes these daughters very different from what their mothers envisioned when they groomed them to take over the family business. For all their in-your-face sexual bravado, girlie feminists can be unabashed traditionalists. Consider *Bust*, a girlie Internet 'zine that describes itself as "the magazine for women with something to get off their chests." With its signature T-shirts that say KISS MY ASS and TOUGH TITTIES, and its pronouncement of "The New Girl Order," *Bust* is full of Erica Jongish, zipless-sex Attitude. Yet as the title of one article, "A Bad Girl's Guide to Good Housekeeping," suggests, the hipness coexists with more conventional desires. A recent chat room offering "A Feminist Analysis of the Baby Scare" was less MacKinnon than *Bride*. "I'm conflicted," one participant wrote. "Did some feminists drop the ball on this one? Have we understated the power of biology?" Another contributor was just mad: "I am not a mother and I am still not sure if/when I will be one," she wrote. "But it really depresses me that if I do choose to get knocked up before the age of 30, that I will be looked upon as nothing more than a tool of the patriarchy. Sisterhood is powerful. Baloney."

What all this suggests is a vast and sharper-than-a-serpent's-tooth generation gap between Feminists and their progeny. "A woman in her twenties or thirties and I are in parallel universes, as if we were in two different countries," Gloria Steinem has admitted. Being the out-of-touch old-timers is especially painful for aging boomer-Feminists, once so proud of being in the vanguard. In the course of researching her recent history of the women's movement, Susan Brownmiller looked up many old activist acquaintances and found them "very depressed" at their irrelevance. Other Second Wavers get prickly: how can these youngsters be so ignorant of what is at stake here?

Lisa Belkin, a *New York Times* reporter who covers the "work/life" beat and frequently recounts

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her own attempts to balance her enviable career with two young sons and a husband, was recently on the receiving end of this irritability, when Maureen Corrigan, a boomer Georgetown literature professor, reviewed her new collection of columns, *Life's Work*. Corrigan blasted the younger woman's failure to show more respect for the Second Wave legacy. Where Belkin cheerfully accepts the inevitable tensions between her career and family life, Corrigan spies the "small pathologies of an unfinished revolution." Where the frankly ambitious Belkin nevertheless acknowledges that the stresses of her husband's job as a pediatric cardiologist make her own deadline pressures seem less intense, Corrigan frets that young women should "stop apologizing for having professional ambitions and minds of their own." And when Belkin describes the confusion that sometimes comes from using her maiden name at work and her husband's name socially, Corrigan explodes: this young woman has a "weirdly reactionary split personality," she snarls. "Why [did] she choose to create problems for herself by taking her husband's last name in the first place?"

Meanwhile, the younger generation concludes that older women just don't get it. Peggy Orenstein, who in her late thirties is old enough to be a card-carrying member of the Sisterhood but young enough to know that the future needs attending to, traveled around the country asking 200 women about their attitudes toward work, romance, and family for her recent book, *Flux*. She was puzzled to find women who share neither her passion for work nor her ambivalence toward marriage and motherhood. During the question period after a speech at Washington University, a student burst out: "I don't want to have to wait until I'm thirty-five to have kids!" Orenstein's priceless reaction speaks volumes about the chasm between the New Girl Order and the Second Wave Old Guard. "I nodded too, sympathetically. It really wasn't fair. Then suddenly, I thought, 'Wait a minute! I'm nearly thirty-seven and I don't have children yet. These women don't want to be *me*.' "

"'For women today, feminism is perceived as dreary. As elitist, academic, Victorian, whiny, and passé.'"

Of course, many older Feminists are shocked—*shocked!*—that their daughters' generation could think that they looked down their noses at the feminine personal. "The notion that the women's movement denigrates women who choose the traditional roles of wife and mother is arrant nonsense," columnist Molly Ivins writes emphatically. She might want to sign up for a few women's studies classes at Yale or the University of Texas or check out the current literature from NOW. What she'll find is not just hostility to "traditional roles" but a tight-wound ambivalence toward the biological urges that young women now so loudly affirm and a hostility to bourgeois life that few young women share.

Take the Feminist attitude toward marriage. When college women sit at the knee of their female elders, they may well read from the widely used textbook *Women's Realities, Women's Choices*. There they will learn that "the institution of marriage and the role of 'wife' are intimately connected with the subordination of women in society in general." For the teachers, this attitude isn't just theoretical. Daphne Patai, co-author of *Professing Feminism* and author of *Heterophobia*, books critical of the women's studies industry, recounts a lunch with other female academics, at which one announces she is getting married. The response: shocked, dead, embarrassed silence.

Yet Feminist hostility to marriage goes beyond the view that it makes women second-class citizens. Feminists also cling to the ideal of the post-bourgeois, liberated woman, who not only doesn't need a man but also rejects conventional middle-class life in favor of a self-created, adventurous independence. When Gloria fish-without-a-bicycle Steinem married in 2000, for example, she evidently felt she had to lend her act a heroic, anti-bourgeois cast. "I had no desire to get married and neither did he," she said—but "it seems rebellious at 66."

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Motherhood too interests orthodox Feminists only insofar as it overturns bourgeois norms. NOW, for example, fiercely supports single welfare mothers and bristles at any reform that might try to encourage them to go to regular jobs or—God forbid—to marry. Ireland got herself arrested at a 1996 demonstration at the Capitol when the House passed "the Republican welfare bill that would have plunged millions of women and children deeper into poverty," as she put it in her memoir. Though child poverty and overall poverty have declined since welfare reform, NOW has failed to acknowledge its error. In addition, the group continues to sound the alarm against current proposals to promote marriage. As Kim Gandy, the current NOW president, says, the plan reminds her of her backward "grandmother's friends say[ing], 'Honey, when are you going to get married?'"

Still, the NOW folks can believe in the happily-ever-after—as long as they're talking about lesbians. NOW heavily promotes gay marriage and adoption—not, like other advocates, as a civil rights issue, but because they view lesbian liaisons and motherhood as a means of subverting conventional marriage and sex roles. Norah Vincent, a *Los Angeles Times* columnist and a gay libertarian, dismisses the organization's support. "It's the old Marxist agenda. Feminists see gay people as the newest proletariat. They want to overthrow the old bourgeois system. It's not my agenda." She adds that she and her girlfriend often joke that they would love nothing more than a traditional middle-class life. "We think of advertising: 'Two women willing to do housework and take care of children in return for a husband.' "

But while Feminists can get as misty as a Hallmark card over lesbian and welfare mothers, they cast a colder eye upon the other 90 percent of women who might look longingly inside Snuglis and baby carriages. Phyllis Chesler, author of the Second-Wave best-seller *Women and Madness*, recounts that, when she became pregnant in the late seventies, friends begged her not to have a child, which would cause her to abandon the movement. These days, when faced with young female baby hunger, Second Wavers are still acting as skittish as Hugh Hefner. Last fall, for example, alarmed at infertility problems they were seeing in the increasing number of women putting off childbearing into their forties, the American Society for Reproductive Medicine launched an ad campaign warning that "Advancing Age Decreases Your Ability to Have Children." But where the doctors were focusing on the gap they observed between medical fact and wishful thinking on the part of contemporary women, one that had already brought many to grief, the Feminists spied only the ever-lurking bourgeois backlash against the heroic career woman. "There is an antifeminist agenda that says we should go back to the 1950's," Caryl Rivers, a professor of journalism at Boston University and a frequent commentator on Feminist issues, pronounced in *Time*. "The subliminal message is 'Don't get too educated; don't get too successful or too ambitious.' "

And here we come to the primary reason for Feminism's descent into irrelevance. Whereas most young women will at some point want babies like they want food, for Feminists, motherhood is the ten-ton boulder in the path of genuine liberation. It mucks up ambition, turning fabulous heroines of the workplace—killer lawyers, 24/7 businesswomen, and ruthless senator wannabes—into bourgeois wifies and mommies. It hinders absolute equality, since women with children don't usually crash through glass ceilings. They resist traveling three days a week to meet with hotshot clients; they look at their watches frequently and make a lot of personal phone calls.

Nothing irks a movement Feminist more than news of a Sister packing in a high-powered career. Candice Carpenter, who when she married left her position as CEO of iVillage, changed her name, and joined the ranks of stay-at-home mothers, earned the wrath of Brandeis professor Linda Hirshman, who called her "the born-again Stepford wife." When presidential aide Karen Hughes announced that she was leaving Washington because her family was "homesick" for Texas, Hirshman was equally incensed, blasting Hughes's husband for not "supporting her career" and for failing to promote "justice in the private world of the family."

Feminists deal with the unsettling fact that, even after the revolution, women persist in wanting to be mothers in two ways. The first tack is simple denial. Amazingly, given young women's preoccupation with how to balance work and motherhood, neither NOW nor the Feminist Majority, the

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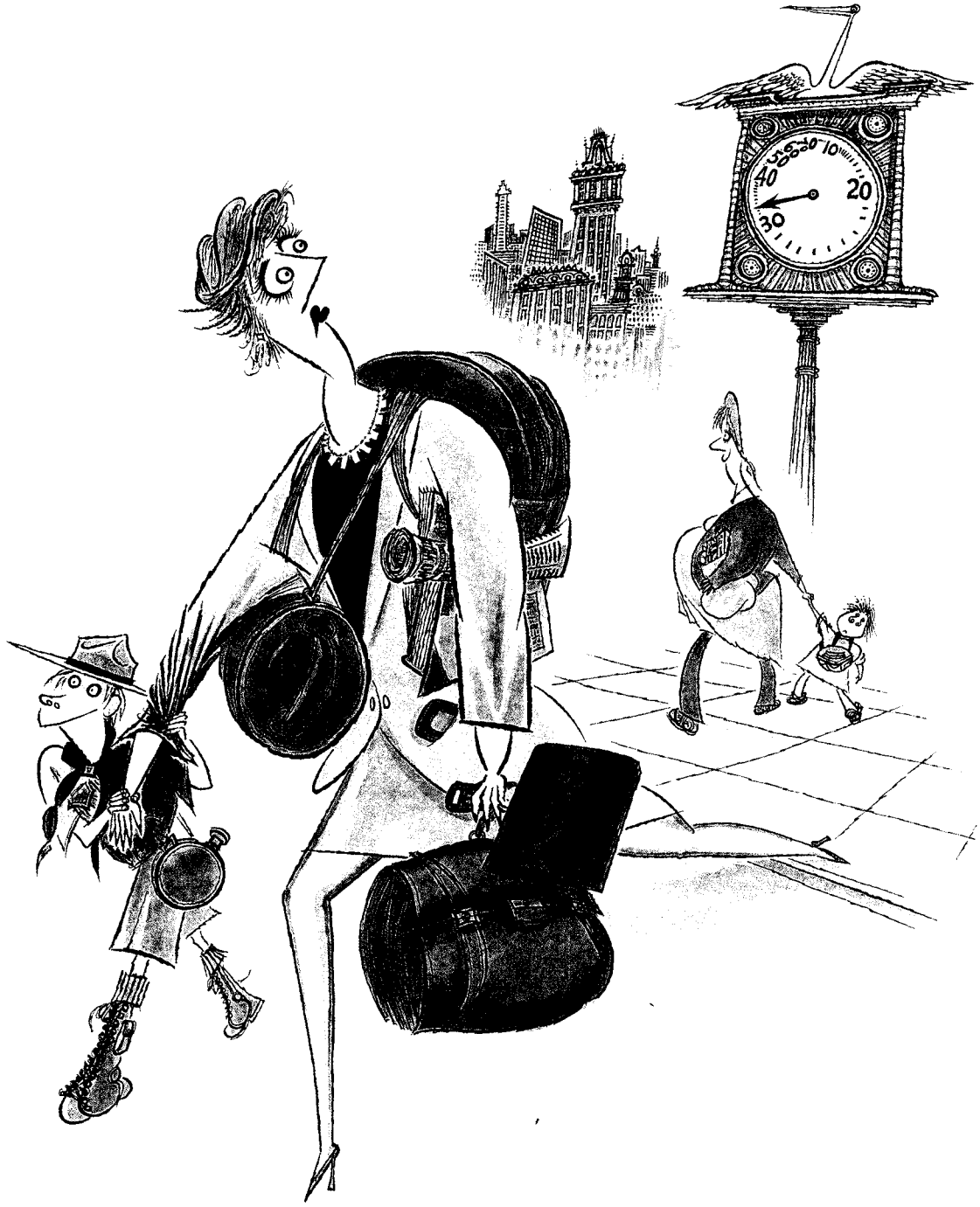

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movement's two most influential organizations, includes maternity leave, flex time, or even day care on its list of vital issues.

The other tack, favored by academic Feminists, is a more complex denial. Yes, women may want babies, they concede; but that doesn't mean they want motherhood—at least not motherhood as it has been "constructed" by the patriarchy throughout history. For these theorists, only a social arrangement that makes men and women exactly equal co-parents—at work precisely the same number of hours, and taking care of the children precisely the same number of hours—is acceptable. In a recent article in *The American Prospect*, Janet Gornick averaged out the number of hours worked by mothers of children under three (23) and those worked by fathers (44) and proclaimed the egalitarian goal: both Mom and Dad should work 33.5 hours a week. It is not enough to give men and women more flexibility and choices about how to organize their lives; the goal is "unbending gender," as American University law professor Joan Williams puts it in her book of that title. Williams rejects what she calls "choice rhetoric"; a woman who thinks she is freely choosing to stay home is just fooling herself, in thrall to the "ideology of domesticity."

Feminists who share Williams's and Gornick's goals aren't about to let biology get in the way of their plans for utopian parity. Though they don't go as far as those 1970s radicals who looked forward to growing fetuses outside the womb, they search for ways to make every aspect of motherhood a 50-50 proposition. In *Woman: An Intimate Geography*, for instance, Natalie Angier comes up with one idea about "sharing" breastfeeding: if the father would just rock the baby between feedings "against his naked breast," then men too could have "a visceral connection with a newborn."

Little wonder that few women in their twenties and thirties seek to complete this so-called unfinished revolution. They don't yearn for the radical transformation of biological restraints and bourgeois aspirations devoutly wished by stalwarts. Even those few who want more androgynous sex roles for themselves don't wish to impose them on others. Yes, they took women's studies courses—often only to satisfy their college's diversity requirement—but they came away unimpressed. To many of them, Feminism today represents not liberation but its opposite: a life that must be lived according to a strict, severe ideology. The younger generation, on the other hand, wants a liberation "that isn't just freedom to choose [but] . . . freedom from having to justify one's choices," as Jennifer Foote Sweeney has put it in *Salon*. In short, they're ready to depoliticize the personal.

But none of this means that the second sex is entirely at peace in the New Girl—or the New Woman—Order. There is a deep tension between young family values and female ambition that will spark many years of cultural debate—and it's not just about who's going to do the laundry or take the kids to the pediatrician. There is still plenty of grumbling on that score, of course: in her recent study *For Better or For Worse*, for example, Mavis Hetherington found that two-thirds of married women complained about the disproportionate burden of house and child care that falls on their shoulders (though she also found that traditional families, with breadwinner husband and stay-at-home wife, had the lowest rate of divorce).

But more important, biology simply disagrees with our careerist culture. The evidence is that, even after 30 years of the Feminist mystique, women may want men to help out more, but they still want to be the primary parent and nester-in-chief. *The Motherhood Report*, a 1989 survey of over 1,000 mothers, found that, while three-quarters of women want men to pitch in more, their goal is not 50-50 parenting. They like being boss at home. Suzanne Braun Levine's 2000 *Father Courage: What Happens When Men Put Family First* suggests that in this department not much has changed in the past ten years. Levine went searching for "the second stage of the gender role revolution"—couples who defy all traditional mommy-daddy divisions. She found some who, with much struggling, were doing so (although you don't have to be Robert Young to think that her description of the brutal, dawn-to-midnight, pass-the-baton existence of some of her couples—think of it as X-treme domesticity—makes *Father Knows Best* look like a sane alternative). But she also finds, contrary to the Feminist picture of the patriarchy foisting unwanted roles on women, that it is often the second sex, who, wanting to be

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the first sex in the nursery, undermines these arrangements.

In my own interviews, I found that young women are not especially nervous about thinking of this stubborn clinging to traditional roles as based in biology. When you ask if there are innate differences between the sexes, they talk comfortably in some of the terms that would satisfy an evolutionary psychologist. They generally believe that women have a closer bond with babies. They see that women usually play what one thirtyish lawyer called "household executive." And they're not especially worried about it. "I don't see it as injustice unless [women] are denied opportunity," one lawyer shrugged. As Norah Vincent concludes, "Equal does not mean the same."

"Even after 30 years of the Feminist mystique, women still want to be the primary parent and nester-in-chief."

The sharpest tension in the lives of the post-Feminist young comes from a workplace designed for people who can put in long, consecutive hours—mainly men and childless women. Mothers, as well as many fathers, want jobs with more flexibility through job sharing, part-time hours, and leaves of absence. And they want the assurance that they can get back on the fast track when the demands of child-rearing ease off. More discussion and lobbying about these issues in the future is certain. Right now, for instance, Anne Crittenden, the author of *The Price of Motherhood*, is launching a lobbying group called MOTHER (Mothers Ought to Have Equal Rights), dedicated to promoting more family-friendly workplaces, improved benefits for mothers, and a reduction of the "mommy tax."

Still, this tension can't be entirely, or even mostly, resolved. The difficult truth is that the very economy that stirs the imaginations and ambitions of young people—that makes them work 80 hours a week in a start-up business, that makes them want to learn new skills or take on extra duties so that they can get promoted or start their own businesses—is the same economy that will never be especially family-friendly and that often leaves even ambitious working mothers behind. Those who long for the Western European model, with its shorter workweeks, longer vacation times, and generous maternity and paternity leaves, fail to see that those more regulated economies also produce less excitement, less creativity, less opportunity, less money, less of what I've called "ecstatic capitalism." Western European workers don't work as hard; they also don't have as many opportunities to create new businesses, develop new skills, and get rich.

Many women seem to understand this reality. A number of those I interviewed said that their crisis-driven jobs made part-time hours either impossible or a sure route to less interesting assignments. They did not blame their employers; they were quick to admit that if you tell clients that the person handling their case or account won't be in on Tuesdays, Wednesdays, and Fridays, you're going to lose them. All of the co-parenting fathers in Levine's book have had to give up not just Saturday golf but also dreams of writing a novel or of making partner. In such marriages, women are not the only ones who can't have it all. To these couples, everybody wins—Levine's male subjects appear pleased with how close they are to their children; but everybody loses, too.

The more immediate point, however, is that while younger women are struggling with how to balance work and family, they have said good-bye to the radical dreams of Feminism. Case in point: Rachel Foster, a Brooklyn mother of two young children who is on leave from her job as a Legal Aid lawyer. Foster is the great-granddaughter of William Foster, the founder of the American Communist Party, and his wife, Esther Peterson, a once well-known free-love nudist, who raised Rachel's grandfather in an anarchist community. She is the daughter of a social-worker mother who worked from the time Rachel was five weeks old. Foster expects to return eventually to "social justice and advocacy." But right now, as the largely content stay-at-home wife of a real-estate developer, one thing's for sure: she's not looking to live like her great-grandparents

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Why the Battle Court Will Be I

For 50 years, the Supremes decreed the society the Left envisioned. No wonder liberals will do whatever it takes to keep control of the high court.

Brian C. Anderson

Nothing rattles the American Left so completely as the specter of a conservative, Bush-appointed Supreme Court. And no wonder. Over the last half-century, sympathetic judges have given the Left "progressive" policy outcomes that the voting booth wouldn't deliver. It is this liberal judicial legacy—everything from affirmative action to partial-birth abortion—that the Left fears a Bush-influenced bench will sweep away. Haunted by the doomsday scenario of a Supreme Court dominated by Antonin Scalia and Clarence Thomas, the Democrats and their allies will fight with every means they can muster to block the appointment of conservative justices. If their ferocious and successful campaign against Bush's recent circuit-court nominee, Charles Pickering, is any augury—and it is—those means (which in Pickering's case included scandalously false accusations of racism) will be nasty.

What the liberals fear is a conservative judicial philosophy called "originalism," which holds that judges must base their rulings on the Constitution's text and structure, as the Framers understood it, and they must interpret statutes to mean what they say. Very different from the activist and creative jurisprudence that has prevailed for the last half-century, this approach, which was the Framers' accepted view of judging, would never

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The Constitution that the Founders ratified charged judges with interpreting the law . . .

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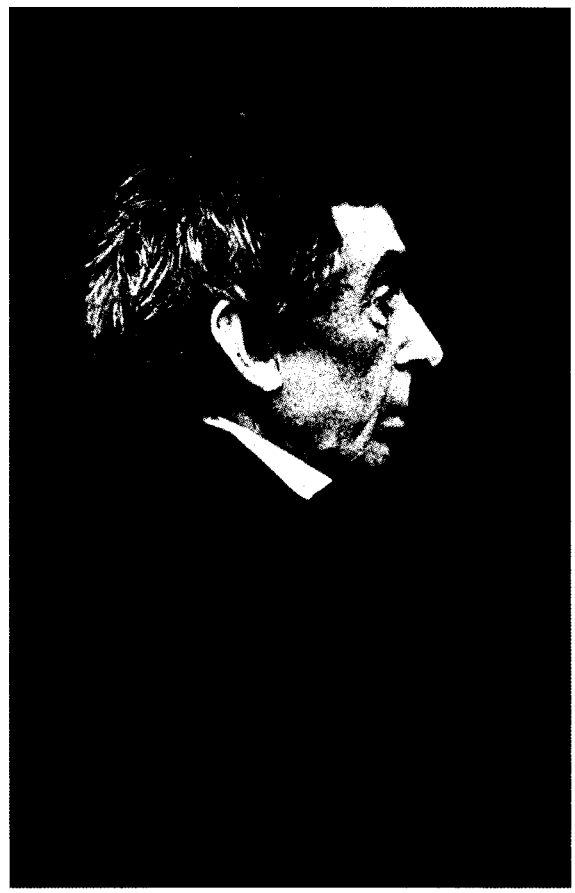
have permitted the Court's expansive policymaking role that produced some of the Left's most cherished victories. An originalist Court could even overturn some of those victories as unanchored in the Constitution.

Regardless of your view of the specific policies at issue, it is vital to America's future that Bush win this battle for the courts: the Supreme Court's politicized role in recent decades is corroding the self-government at the heart of American constitutionalism. In a democracy, voters, not unelected judges, decide the momentous questions. When the Supreme Court forces its policy preferences on the American people without the clear warrant of a constitutional text, as has happened often in the last 50 years, it is acting more as an "anti-democratic Caesar" than as the impartial referee it's supposed to be, in Justice Scalia's view. Moreover, by politicizing constitutional law, the Court has weakened the rule of law that is the bedrock of our constitutional form of government. As Justice Thomas notes, if law is just politics, "then there are no courts at all, only legislatures, and no Constitution or law at all, only opinion polls." Why then would you need unelected judges to perform the same function as an elected congress?



MATHEW BRADY/THE GRANGER COLLECTION

. . . but beginning with the *Dred Scott* decision of Justice Roger Taney (above) . . .

It's worth understanding how our courts got into this mess, so we can see how imperative it is to get them out. The government by judiciary we now have is not what our Founding Fathers had in mind. The original originalists, they imagined that a life-tenured, independent judiciary would merely interpret the law as the people's elected representatives made it—including the supreme law embodied in the Constitution. But they would have no right to create law. As Alexander Hamilton explained in *The Federalist*: "The courts must declare the sense of the law, and if they should be disposed to exercise WILL instead of JUDGMENT, the consequence would equally be the substitution of their pleasure to that of the legislative body." For the Framers, that would be tyranny and should end in impeachment.

The Supreme Court took on the awesome powers it wields today with three big cases, at intervals of half a century. Very briefly, the first was the 1857 *Dred Scott* decision, concerning a Missouri slave, Scott, whose owner had taken him into parts of the Louisiana Territory where the federal government had banned slavery. Back home, Scott sued, saying that his stay in a free territory made him a free man, on the "once free, always free" principle that most Southern courts acknowledged. The Supreme Court, headed by Roger Taney and dominated by Southerners, ruled seven to two that Scott couldn't be free, in part because the Constitution did not give Congress the right to bar slavery in the federal territories (or anywhere else). In other words, the painstakingly negotiated Missouri Compromise of 1820, in which Congress had admitted Missouri as a slave state but made slavery taboo in other parts of the Louisiana

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Territory—a political deal that preserved the Union for nearly four decades—was unconstitutional. The ruling helped ignite the Civil War.

What makes *Dred Scott* the prototype of today's judicial activism is its radical rewriting of the Fifth Amendment's due process clause, which states that no person shall be "deprived of life, liberty, or property, without due process of law"—meaning, according to ancient legal tradition, simply that the authorities had to follow the legally proper procedures in applying the law. In *Dred Scott*, the Court declared that any federal law that deprived a citizen of his slaves would *in itself* violate due process. This notion of "substantive" due process—that government can't deprive citizens of certain property or certain liberties without violating due process by the very act of doing so—"has enabled judges to do more free-wheeling lawmaking than any other," says Scalia.

"The Supreme Court's politicized role corrodes the self-government at the heart of American constitutionalism."

You'd think that after its war-fomenting foray into politics, the Court would have left legislating to legislators. But no: from the late 1890s until the mid-1930s, it again marshaled the substantive due process concept to make, rather than interpret, law. This time, the Court injected into the due process clause (not just of the Fifth Amendment but also of the post–Civil War Fourteenth Amendment, modeled on it, that applied to states) a natural right to "freedom of contract" dear to the nation's rising business class. This "substance"—this liberty that could be taken away by *no* legitimate due process—was more morally defensible than slaveholding, but the interpretive sleight of hand to "discover" a protection that wasn't in the Constitution was the same as in *Dred Scott*. The 1905 *Lochner* case symbolizes this period in constitutional history: it struck down, on the substantive due process grounds that it violated freedom of contract, a New York law that limited bakers' workweeks to 60 hours for health reasons—only one of hundreds of federal and state social welfare laws, including early New Deal initiatives, that couldn't get past the courts during these decades. "Like its even more unseemly ancestor *Dred Scott*," observe legal thinkers Eugene Hickok and Gary McDowell, "*Lochner* helped set in motion the mechanics of government by judiciary."

Just as *Dred Scott* helped precipitate a war, "Lochnerizing" the Constitution provoked a constitutional crisis. Frustrated by the Supreme Court's thwarting of New Deal legislation, President Franklin D. Roosevelt threatened in 1937 to "pack" the Court with six additional judges who shared his politics. The justices averted the threat by mending their high-handed ways.

The modern era of judicial activism opened in 1954 with one of the most celebrated Supreme Court decisions ever: *Brown* v. *Board of Education*. In *Brown*, a unanimous Court, led by the new chief justice Earl Warren, ruled that state-mandated school segregation violated the Fourteenth Amendment's injunction that no state may "deny to any person within its jurisdiction the equal protection of the laws." *Brown* struck down a shameful injustice; but *how* the Court broke the color line had deeply troubling implications.

The Court faced two big constitutional obstacles to ending school segregation. First: precedent. The infamous 1896 *Plessy* v. *Ferguson* decision held that segregation in the provision of government services didn't violate equal protection, as long as the separate facilities were equivalent. This "separate but equal" precedent wasn't insurmountable, but the Court, following the legal tenet of *stare decisis*—that a decision in one case should apply in subsequent cases—doesn't reverse itself lightly. But even 70 years of settled law could go out the window, if the Court could show that the original purpose of the equal protection clause barred school segregation.

Sadly, this approach seemingly hit a brick wall too. The aim of the Reconstruction Congress that adopted the Fourteenth Amendment in 1868,

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. . . and the free-market decisions of the *Lochner* Court (pictured above in 1905), the Supremes moved from interpreting the law to making it.

most legal scholars agreed, was to protect newly emancipated blacks from violations of their basic civil rights—such as access to courts or ability to buy and sell property—not to grant them political rights (the vote) or social rights (such as desegregated education). After all, the same legislators who devised the equal protection clause funded Washington's segregated schools without qualms. Precedent and history—key pillars of jurisprudence—thus didn't support the view that the Constitution demanded desegregation. Legal historian Alfred Kelly, who helped the NAACP lawyers prepare the *Brown* brief, later admitted, "I didn't see a good argument that might be available to us."

But the Warren Court wasn't going to let these difficulties impede it from doing justice. "We cannot turn the clock back to 1868, when the [fourteenth] amendment was adopted, or even to 1896 when . . . *Plessy* was written," Warren's opinion for the Court asserted. Instead, the Court turned to contempo-

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rary social psychology that purported to show that segregation harmed the self-esteem of black schoolchildren and made it tougher for them to learn. Therefore, the Court said, separate wasn't equal in education, regardless of what the Fourteenth Amendment's framers intended or the *Plessy* Court believed.

However well-intentioned, this argument advanced no legal reason to reach its holding. "As a matter of principled constitutional law," says Northwestern legal historian Stephen Presser, "the *Brown* opinion is almost certainly indefensible."

"*Brown*, acclaimed by the nation's opinion leaders, became a powerful spur to future judicial lawmaking."

Brown, acclaimed by the nation's opinion leaders, became a powerful spur to future judicial lawmaking, this time to advance the values of the liberal elites, rather than the business elites (as in *Lochner*) and (again by contrast with *Lochner*) to force, rather than retard, social change. From *Brown* onward, the equal protection clause of the Fourteenth Amendment became a powerful engine of judicial might. In later decisions, the Court would take equal protection far beyond the intention of its framers to encompass new legal guarantees not just for blacks but for women, homosexuals, and other "disfavored" groups.

In addition, *Brown* began the shift in elite perception of what made for a good judge and a good judgment. By the time the sixties cultural revolution was in full swing, writes Harvard law professor Mary Ann Glendon, "judges began to be praised for qualities that once would have been considered problematic: compassion rather than impartiality, boldness rather than restraint, creativity rather than craftsmanship, and specific results regardless of the effect on the legal order as a whole."

The heroic new judge drew inspiration from a doctrine called "the Living Constitution," which held, as Justice William Brennan put it, that: "The genius of the Constitution rests not in any static meaning it might have had in a world that is dead and gone, but in the adaptability of its great principles to cope with current problems and current needs." More than adapt, the Living Constitution could bring about epochal social changes whenever judges like Brennan believed that justice demanded them. Lawmakers began to put off contentious issues, looking to the Supremes to take them off their hands.

Amazingly, based on *Brown*—an anti-discrimination decision—the Court subsequently came up with a new rationale for government to discriminate by race. After all, *Brown* hadn't overturned *Plessy* or endorsed Justice John Harlan's famous dissent in *Plessy* that "[o]ur Constitution is color blind, and neither knows nor tolerates classes among citizens." So even though the Warren Court, citing *Brown*, desegregated everything from city golf courses to public swimming pools, the decision had never ruled that equal protection forbade racial discrimination by government.

In the last of its desegregation decisions, *Loving* v. *Virginia*, the Warren Court established the current legal test for identifying racial discrimination that is lawful. Under the Living Constitution, race is a "suspect classification"; courts must give any laws or government actions that use race as a criterion "strict scrutiny" as to whether they are narrowly focused to serve only a compelling state interest and no other interest, and whether there are no colorblind alternatives available. This test, observes political scientist Richard Morgan, is an "intellectual disaster"—a permanent invitation to legislate from the bench, since its criteria are "essentially political judgments about wise public policy."

These highly subjective criteria are objectionable enough, but—worse still—the Court used them to ride roughshod over Congress's explicit intentions, expressed in the landmark 1964 Civil Rights Act. This exemplary legislation not only forbade segregated public schools but also made it illegal for government, or for any employer engaged in in-

AMERICAN HERITAGE OF THE SUPREME COURT OF THE UNITED STATES OPENS ON THE CURATOR

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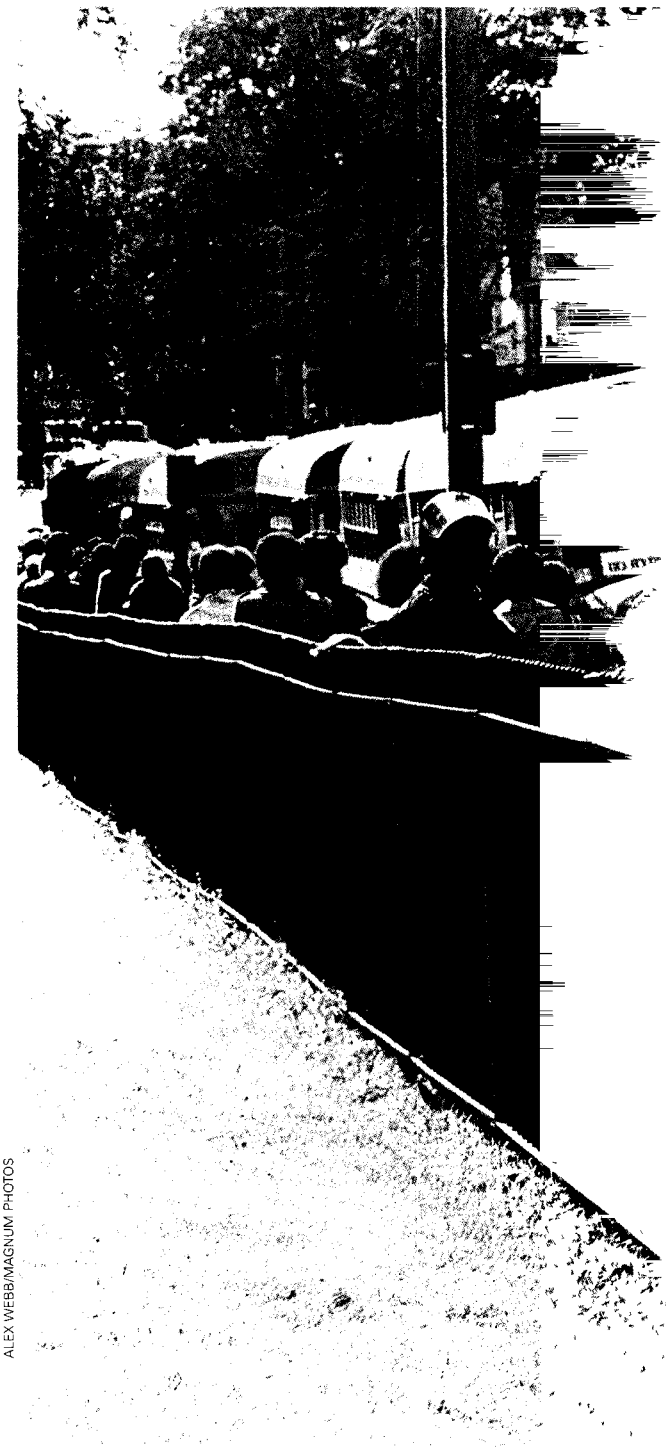
terstate commerce or receiving government contracts, "to discriminate against any individual . . . because of such individual's race, color, religion, sex, or national origin." The act also required government and private employers to make a special effort to hire qualified minorities and to give them training if necessary to get them up to speed—"affirmative action," as it later came to be called. Such special efforts, the law clearly stated, did not mean preferential treatment, quotas, or reverse discrimination. Period.

But quotas and reverse discrimination are exactly what the Supreme Court brought about. In decisions from *Griggs* in 1971 to *Bakke* and *Weber* in the late seventies to *Metro Broadcasting* in 1990, the Court turned inside out the meaning and intent of the Civil Rights Act. The Court, rejecting a "literal interpretation" of the act's words, ruled that the law actually didn't prevent racial preferences in hiring and promoting blacks, that universities could use race in admissions, and that judges could even impose strict racial quotas in hiring and promotions on employers who had discriminated in the past against blacks. (Over time, an estimated 70 percent of the U.S. population, including women, the elderly, and various racial and ethnic groups, became eligible for court-approved preferential treatment.) Though since 1995 the Supreme Court has narrowed affirmative action, it still rules unpredictably on the question—depending, says political scientist Morgan, on "the vote of Sandra Day O'Connor, who alone (perhaps) understands what she means by the key terms."

The Court tortured the Civil Rights Act with equal disregard for congressional intent in trying to speed up school desegregation. The act plainly stated that desegregation didn't mean assigning students to schools by race, and busing them there, to promote integration. But in *Green* (1968) and *Swann* (1971), the high court, now under Chief Justice Warren Burger, gave the go-ahead to district courts to bus students to achieve racial balance. Whatever the worth of policies like busing and affirmative action, the post-*Brown* Court, in imposing them, despite the intent of Congress, on a citizenry that largely views them as unjust, was doing exactly



ALEX WEBB/MAGNUM PHOTOS

Congress forbade busing to achieve racial balance, but the Supreme Court mandated it.

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what Hamilton said it couldn't lawfully do under our Constitution: exercising will, not judgment.

The moral rightness of *Brown*'s result, however, has meant that critics of the Living Constitution doctrine constantly must deal with the charge that, if they object to *Brown*'s jurisprudence—its means rather than its end—they must be racists. What makes this charge doubly absurd is that the American people, not the judges, finally sent Jim Crow packing. As Wallace Mendelson and other historians point out, widespread segregation in the South continued after *Brown*, until Congress passed the 1964 Civil Rights Act and the 1965 Voting Rights Act and Elementary and Secondary Education Act. Thereafter, says Mendelson, "revolutionary changes followed"—sparked, as is appropriate, by the legislation of the people's elected representatives, not the dictates of unelected judges.

Judicial originalists have no trouble supporting *Brown*'s outcome without embracing the Living Constitution dogma. In Judge Robert Bork's view, whatever the Fourteenth Amendment's framers might have thought about the compatibility of segregation with the explicit ideal of equality animating the amendment, it was painfully obvious by the 1950s that "separate" facilities for blacks always were inferior. Recent research by Michael W. McConnell, another leading originalist and a Bush appeals-court nominee, shows that, shortly after the Fourteenth Amendment's ratification, a majority of those who voted for the measure in Congress believed that it was incompatible with state-sponsored segregation. Originalist Clarence Thomas, going further, maintains that each of the post–Civil War amendments—the Thirteenth (banning slavery), the Fourteenth, and the Fifteenth (extending the vote to blacks)—embodies the magnificent vision of the Declaration of Independence that "all men are created equal": and so equal protection, interpreted against this backdrop, renders unconstitutional not only segregation but any laws that take race into account. Harlan was right, says Thomas: the Constitution *is* colorblind.

Other originalists disagree. Objects legal scholar Terry Eastland: "No majority of the Supreme Court has ever said, either explicitly or by implication, that the Constitution is colorblind." And because *Brown* didn't overrule *Plessy*, and went on to use that decision to turn the anti-discrimination 1964 Civil Rights Act into a warrant for government racial preferences, other originalists of Eastland's stamp believe that those who seek a colorblind Constitution should work to pass a constitutional amendment blocking government from distinguishing by race. Argues political scientist Morgan: "This would finally complete the work of Reconstruction, align the text of the Constitution with our national ideals, and bury Jim Crow the way he should have been buried in the first place—by votes in legislative assemblies."

If no one disagrees with the anti-segregation result of *Brown*, many disagree strongly with the anti-law-enforcement result of another of the Warren Court's forays into legislating from the bench. Driven by the 1960s elite's suspicion of police authority, the Court conjured out of the Living Constitution completely new procedural rights for the criminally accused that revolutionized the way the nation dealt with crime and helped fuel the crime explosion that began in the mid-1960s.

In *Mapp* v. *Ohio* (1961), the Warren Court rewrote the Constitution to force state courts to exclude from criminal cases any evidence that police obtained in an improper search, even if the cops' error was inadvertent and tiny. This "exclusionary rule," derived from the Fourth Amendment's protection against unreasonable search and seizure, had never applied to states before 1961. The majority in *Mapp* pulled off this remarkable extension of the exclusionary rule's scope by "incorporating" the Fourth Amendment guarantees, which apply to the federal government, into the rights protected by the due process clause of the Fourteenth Amendment, which applies to the states. This "nationalization" of the Bill of Rights, which began in the 1920s but principally occurred in the 1960s, "did more than anything else to make the Supreme Court the most powerful voice in the land in defining the rights of the American people," opines law scholar Scott Douglas Gerber.

Mapp wasn't the only new impediment the Court put in law enforcement's way. In 1966, it handed down in a five to four ruling the famous *Miranda* decision. "You have the right to remain silent; any-

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thing you say can and will be held against you in a court of law; you have the right to an attorney, and if you cannot afford one, one will be appointed for you"—anybody who's ever watched a cop show knows the warnings. Here the Court took the Fifth Amendment's rule against self-incrimination that had applied only to courtroom testimony and—with breathtaking interpretive license—extended it to cover statements and confessions made during police interrogations.

Miranda brusquely threw out the centuries-old "voluntariness" test for confessions. Was a confession the result of an unconstrained choice? If yes, the test held, prosecutors could use it against the confessor; if not—if interrogators had coerced the confession—prosecutors couldn't use it. Justice John Marshall Harlan (grandson of the *Plessy* dissenter) excoriated the Court for replacing this test, "an elaborate, sophisticated, and sensitive approach to admissibility of confessions," with an inflexible, heavy-handed approach that, like *Mapp*, made it impossible to balance the rights of the accused against the competing values of finding the truth and protecting society.

"The Framers intended to protect political speech but not to give license to indecency and obscenity."

Stung by two decades of public backlash against it for being more solicitous of criminals' rights than of public safety—and by research showing that these decisions had reduced the conviction rate among criminal suspects—the Supreme Court retreated slightly from its unwavering suspicion of law enforcement in the 1984 *Nix* v. *Williams* decision. The Court said that prosecutors could legally introduce evidence that police had seized based on a bad warrant if the cops thought it valid in good faith. Even so, in *Dickerson* v. *United States*, the Rehnquist Court upheld *Miranda* in 2000 by a seven to two majority. The Court rested its case not on the Constitution's text—how could it?—but on its own precedent and on the fact that *Miranda* "has become embedded in routine police practice to the point where the warnings have become part of our national culture," as Rehnquist's opinion for the Court explained. A dissenting Scalia, joined by Clarence Thomas, blasted the majority for maintaining the "power judging" that had foisted *Miranda* on police in the first place, in contravention of the Constitution's plain meaning.

The Court has subjected the First Amendment to a stiff dose of "power judging" as well. It has used the amendment's religion clause—"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof"—to erect a nearly impassable "wall of separation" between church and state, a wall that the Framers never envisioned. Washington, for example, thought religion "indispensable" to the "dispositions and habits which lead to political prosperity"—a view that seems to belong to a different universe from a 2000 Supreme Court ruling that a short, freely chosen, nonsectarian, and non-proselytizing prayer delivered by a student before a high school football game represented an unconstitutional establishment of religion.

The Court has also inverted the original meaning of the First Amendment's free speech clause, which the Framers intended to protect political speech but not to give license to indecency and obscenity. As Supreme Court Justice Joseph Story, the early-nineteenth-century's leading constitutional authority, put it: "That this amendment was intended to secure to every citizen an absolute right to speak, or write, or print whatever he may please, without any responsibility, public or private, therefore, is a supposition too wild to be indulged in by any rational man." As late as 1942, a unanimous Court ruled that the First Amendment didn't protect obscene or lewd words because "such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality."

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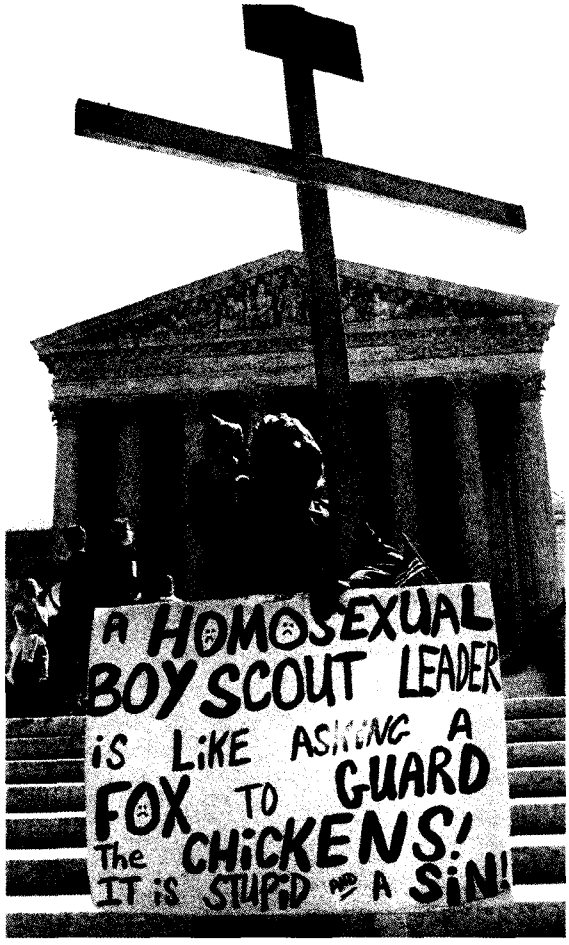
But all that began to change with the Court's 1971 *Cohen* v. *California* ruling, which threw out the disorderly-conduct conviction of a man who had refused to take off a jacket emblazoned: FUCK THE DRAFT. Opined Justice Harlan, writing for the Court: "[O]ne man's vulgarity is another's lyric." *Cohen* and myriad decisions since have made it nearly impossible for communities to regulate any speech or image. Just this year, the Court struck down a law criminalizing "virtual" kiddie porn, including computer-created images of kids having sex.

The high court protects pornography, but it has curtailed the political speech essential to democratic debate that it was the original purpose of the First Amendment to protect. In *Buckley* v. *Valeo* (1976) and *Nixon* v. *Shrink Missouri Government PAC* (2000), the Court upheld legislation that, seeking to stamp out corruption or even the appearance of corruption, strictly limited political contributions. But telling someone he can't spend his money promoting his political views is a pretty clear-cut infringement of his political speech, exactly what the First Amendment aimed to protect.



ALEX WONG/NEWSMAKERS/GETTY IMAGES

The Court has made itself the arbiter of difficult questions that legislatures should decide.

Questions of sex have tempted the Court to bend and twist the Constitution almost as energetically as questions of race. *Roe* v. *Wade* (1973) is the most famous case in point. Whatever your views about abortion, it is hard to deny that, as jurisprudence, *Roe* is embarrassingly shoddy. In a 51-page majority opinion by Justice Harry Blackmun that lacked any discernible legal reasoning, the Court based itself on the "privacy" right of married couples to use contraceptives that it had found in the "penumbras, formed by emanations" of the Bill of Rights in the 1965 *Griswold* v. *Connecticut* case. It asserted that this new guarantee of privacy, conjured up like a will-o'-the-wisp rising out of swamp gas, included an absolute right, protected by the due process clause of the Fourteenth Amendment, for all women to terminate pregnancy up until the third trimester—a penumbra formed by emanations indeed.

Then-associate justice Rehnquist's dissent exposed *Roe*'s constitutional illegitimacy. When Congress adopted the Fourteenth Amendment, he noted, at least 36 state or territorial laws curbed abortion, and no one questioned their constitutional validity at the time. Many of those laws were still on the books in 1973. "The only conclusion possible from this history is that the drafters did not intend to have the Fourteenth Amendment withdraw from the States the power to legislate with respect to this matter," said Rehnquist. Given that history, as well as the Court majority's comical arguments, *Roe* was, as Justice Byron White's dissent put it, nothing more than "an exercise of raw judicial power."

In the 1992 *Casey* decision, the Court reached the furthest limit of judicial invention ever—or at least, so far. In *Casey*, Justices Anthony Kennedy, Sandra Day O'Connor, and David Souter co-authored an opinion

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that defended a woman's right to end her pregnancy by rooting it in a new concept of liberty. "At the heart of liberty [as protected by the due process clause]," the justices wrote, "is the right to define one's own concept of existence, of meaning, and of the mystery of human life." Not a word in the Constitution acknowledges such a right, whether to allow abortion or anything else. What could it possibly mean? If I'm a Muslim, and my "concept of meaning" allows me multiple wives, do I have a constitutional right to have the state recognize my marriages as legal? If so, laws against polygamy must be unconstitutional. In a nation that values individualism and the pursuit of happiness, it's hard to imagine any law that wouldn't stand in the way of somebody's "concept of meaning."

Casey, legal scholars think, led to the 1996 *Romer* v. *Evans* decision, in which the Court struck down Colorado's democratically crafted constitutional provision that homosexuals and bisexuals shouldn't get special rights beyond those granted to the rest of the citizenry. Such a provision, the Court argued, could only be based on irrational "animus" against homosexuals. Scalia's withering dissent spells out just how arrogantly antidemocratic and illegitimate the Court's reasoning was. "Since the Constitution of the United States says nothing about this subject [homosexual rights]," he argued, "it is left to be resolved by normal democratic means, including the democratic adoption of provisions in state constitutions. This Court has no business imposing upon all Americans the resolution favored by the elite class from which the Members of this institution are selected, pronouncing that 'animosity' toward homosexuality is evil." *Romer* also sparked a heated symposium in the respected, highbrow religious magazine *First Things*, in which several constitutional scholars, including Bork and Princeton legal philosopher Robert George, argued that the imperial judiciary that had delivered *Casey* and *Romer* had left religiously orthodox Americans and moral conservatives little recourse but civil disobedience to protect their values.

"'Day by day,' laments Scalia, the judges are 'busy designing a Constitution for a country I don't recognize.'"

Affirmative action and busing, new rights for the criminally accused, a First Amendment that protects virtual kiddie porn but not a nondenominational prayer before a school football game—these are just some of the major ways the federal judiciary has helped remake America since *Brown*. The Supreme Court has created due process rights for public school pupils facing disciplinary proceedings and for youths in the juvenile justice system; it has struck down as violations of equal protection state legislatures designed—like the Congress—with one population-based legislative chamber and the other based on geographic boundaries; it has churned out a torrent of employment regulations—everything from rendering aptitude tests unconstitutional if they have a "disparate impact" on minorities to making it harder to fire people; it has overturned a state law banning partial-birth abortions, which even many abortion supporters consider infanticide; it has, most recently, banned the death penalty (which the Bill of Rights explicitly allows) for the mentally retarded. Cumulatively, these decisions have removed many of the most important moral and social issues from the political arena, shrinking the self-government that America was founded to guarantee. "Day by day, case by case," laments Scalia, the judges are "busy designing a Constitution for a country I don't recognize."

Since these decisions have almost invariably pushed forward the Left's political agenda, it's unsurprising that an entire industry has sprung up in the left-leaning academy to justify and advance the Living Constitution idea. The University of Chicago's Cass Sunstein, for instance, argues that the Constitution directs the judiciary to function as democracy's referee, deciding which choices of the people are what they *really* intend, and which are in some sense accidental and therefore non-binding. Harvard's Lawrence Tribe, author of a popular constitutional-law textbook, argues, like Justice Brennan, that the

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Constitution's grand principles must evolve with time to meet the changing needs of society. Judges supply the correct interpretation of those principles, not based on what the Framers had in mind, but in accordance with the views of enlightened Americans—which means the left wing of the Democratic party. The Critical Legal Studies movement and its offshoots believe that jurisprudence just expresses race or gender or economic power relations, rather than an effort to do objective, disinterested justice, so creative interpretations of the Constitution that help improve the lot of the disenfranchised are the turnabout that is fair play.

Against such thinkers stands a much smaller band of originalists defending what Scalia has memorably called the "Enduring Constitution." Originalists argue that America adopted a *written* Constitution precisely because it doesn't change over time. "Otherwise," Thomas points out, "we would have adopted the British approach of an unwritten, evolving constitution." Second, originalists believe that high-court judges must base their decisions on the Constitution's text and structure, as originally understood. They also hold that legal and constitutional texts have a limited range of meaning that judges can gloss rightly or wrongly; truth is not an obsolete concept in law. Finally, originalists think that judges can be impartial interpreters of the law. "In order to be a judge," Justice Thomas has written, "a person must attempt to exorcise himself or herself of the passions, thought, and emotions that fill any frail human being. He must become almost pure, in the way that fire purifies metal, before he can decide a case." Otherwise, he's a politician. Though a minority view on campus, originalism has made some inroads even there, especially with the success of Princeton political scientist Keith Whittington's book, *Constitutional Interpretation.*

Still, originalism is the only jurisprudence fully compatible with our form of government. Even if one did buy the odd, recent idea that jurists should be able to ignore or deconstruct the text and original meaning of the Constitution, Scalia asks, why, in our democracy, should judges be the people uniquely entitled to figure out society's needs? "It is simply not compatible with democratic theory that laws mean whatever they ought to mean, and that unelected judges decide what that is," he declares.

Cass Sunstein has come up with a theory that advocates institutionalizing these differences of opinion on the Supreme Court itself. In naming and confirming justices, argues Sunstein, who had advised the Democrats on these matters, the president and the Senate should ensure judicial pluralism, with appropriate representation of each approach. New York Democratic senator Chuck Schumer has taken Sunstein's argument a step further, now that a popular conservative president, who looks to Scalia and Thomas as his model judges, may get to appoint two or more Supremes, thus changing the tenor of the Court and perhaps ultimately undoing some of the Left's most cherished social gains. Let's just make the confirmation of judges a raw political fight, says Schumer, since the two parties have distinct and incompatible jurisprudential ideologies. Judging equals politics, plain and simple, on this view. With gladiatorial Schumerism on the scene, worries legal historian Stephen Presser, the threat to an independent judiciary "is probably more real now than it has been for three-quarters of a century"—since, that is, FDR's court-packing scheme.

Even from a narrowly partisan standpoint, though, the Left would be wise to think hard about whether it makes sense to reject originalism and treat the judiciary as a political war machine. After all, one can imagine a Court made up of real conservative activists who'd go beyond the Constitution to dismantle the welfare state completely, say, or to ban abortion (as opposed to letting states decide if they want to make it legal or to regulate it, as would happen if the Court simply overturned *Roe*). True, such an outcome is unlikely, since most conservative jurists are reflexively originalist in their jurisprudence. But the fact that it could happen should make liberals consider whether they might not be better off living under the Constitution our Framers gave us, instead of one subject to constant political alteration. Originalism ultimately favors neither Left nor Right, but self-government. President Ronald Reagan, swearing in Scalia in 1986, put it beautifully: the Founding Fathers, he said, "knew that the courts, like the Constitution itself, must not be liberal or conservative. The question was and is, will we have government by the people?" That is still the question.

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What Aerosols!

Will the graffiti fans at the *New York Times* ever grow up?

Heather Mac Donald

Graffiti is metastasizing again throughout New York City. "The guys out here now are destroying us," says Bruce Pienkny, who makes a living removing graffiti from factories and retail stores from Riverdale to the Rockaways. "Every other day, new tags are popping up. The cops got no chance against it."

But if the *New York Times*'s culture editors are to be believed, New Yorkers should be thrilled. Every few months, the paper of record disgorges itself of an article breathlessly celebrating graffiti vandalism as a vital urban art form. Among the bad ideas that the *New York Times* has floated over the years, few compare to the newspaper's glorification of graffiti for sheer destructive stupidity.

The most recent entry in this genre came on April 29, with an article entitled A STIRRING ICON THAT SHOOK THINGS UP TURNS 20.

Reporter Colin Moynihan rapturously profiles an aging Lower East Side anarchist who has spent his adult life destroying and mooching off of other people's property as a graffiti vandal and a squatter. Twenty years ago, anarchist Peter Missing created a crude icon, shaped vaguely like an upside-down martini glass, to protest drunk-driving checkpoints. (Presumably, Missing has never known anyone slain by a drunk driver.) He proceeded to deface vast swathes of the Lower East Side with his graceless doodle, while members of his rock band took even more violent measures against civic order—participating, for example, in a vicious attack on the police by squatters and other riff-raff in Manhattan's Tompkins Square Park in 1988. (The *Times* leaves Missing's part in the assault tantalizingly indeterminate.)

Missing's graffiti war yielded the predictable effect: delaying the much-needed revitalization of the troubled Lower East Side. A Missing admirer (and, heaven help us, an art teacher) tells the *Times*: "Pete's symbol was successful in that it helped scare away developers." Terrific! That left more graffiti-scarred, abandoned buildings, from which drug dealers and their addled customers could terrorize the neighborhood, and in which Missing and his fellow squatters could barricade themselves while planning future anarchist assaults.

But what do you know? This scourge of private property has been trying desperately to cash in on his life of crime! An "art" gallery has been selling pilfered signs and pieces of billboard scrawled with Missing's childish martini glass, and Missing has been unapologetically scarfing up the profits. More hypocritically still, Missing pursued an abortive licensing agreement with a skateboard company to use his anarchist icon. *How can that be?* you ask. How can Missing own property rights in his obsessively repeated scratching—he who scorns anyone else's claim to ownership free from vandalism or appropriation?

The *Times* doesn't try to answer this conundrum, for it doesn't even perceive it. It sees Missing only as a trailblazing nonconformist who pursues his *métier* with unflagging dedication. The valentine to Missing concludes with our hero pulling out a silver

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marker and defacing a large parked truck with his martini icon. No comment from the *Times*, no judgment, and, of course, no citizen's arrest of this lawbreaker—just a generous ceding of the last word to Missing, who foresees for himself immortality: "Now I know this symbol will outlive me," he reflects, with philosophical self-satisfaction.

The *Times*'s celebration of this superannuated delinquent would be bad enough if it were just a onetime editorial misjudgment. But the Gray Lady is fully committed to graffiti promotion. In a much-ballyhooed supplement to its millennial edition on New Year's Day, 2000, the newspaper offered its readers predictions about "the next big thing in a range of disciplines, . . . ideas that may turn into breakthroughs." One of these groundbreaking ideas, argued the *Times*, was that graffiti was art. Never mind that cultural elites and elite wannabes desperate for street cred—from Norman Mailer to *Time* and *People* magazines—have aestheticized graffiti since the 1970s. Unaware that it was arriving three decades late to the discovery, the *Times* quoted a "graffiti scholar," who complained that New York's anti-graffiti drive "repressed a really important art movement in the 20th century." Rather than fighting graffiti, opined the scholar, the city should have "used it to beautify urban spaces."

Nothing prevents the *Times* from bringing in a horde of "graffiti artists" to "beautify" its own building first, before unleashing this scourge on the rest of the city. The New York Times Company is a member of a business improvement district that attempts to keep the area free of graffiti. Why doesn't the company request exemption from the BID's cleaning efforts, so that its employees can enjoy the street tags and illiterate scratchings that would proliferate on its imposing edifice? Should some graffiti vandals "bomb" the *Times* building, it would be instructive to measure the seconds it would take publisher Arthur Sulzberger, Jr. to dragoon a sandblasting crew there to remove the mess.

Until this edifying experiment takes place, we can expect a continuing stream of graffiti idiocy from our sensitive newspaper of record, along the following lines:

—September 21, 2000: the *Times* reports a dispute between graffiti "artists" and an art gallery over who owns the "art" works (graffiti-splattered stolen subway doors) in a museum show. The *Times* overlooks the irony of the vandals' ownership claims.

—September 22, 2000: the *Times* lauds the "exuberantly pictorial writing of graffiti art."

—September 27, 2000: the *Times* quotes a "graffiti artist" who calls graffiti part of the "visual arts."

—October 10, 2000: the *Times* notes with surprise that the police "consider the spray-painting of other people's property a crime and not art," a misconception that led to the arrest of an "artist" in a gallery show of graffiti.

—June 19, 2001: N. R. Kleinfeld reports on some "graffiti writers" who began by "decorating" subway cars.

According to the culture critics at the *New York Times*, this is art.

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—March 1, 2001: the *Times* fawningly profiles one of the "most sophisticated of the graffiti writers who moved aerosol art from the New York subway system to the embrace of the gallery world," an "aesthete" who made "even the hostile environs of the subway his own."

This romanticization of lawlessness is hardly innocuous. A Brooklyn inner-city high school teaches graffiti for academic credit, aping the elite's touting of graffiti vandalism as heroic self-expression. No matter that the school's students are being robbed of an academic and moral education. And the New York Police Department's crucial battle against public disorder as a precursor of violent felonies cannot be helped by the *Times*'s constant worship of property defacement.

Before they assign their next "exuberant" graffiti article, the *Times*'s editors should profile a small businessman like Reginald Butts, who struggles against the defacement of his Brooklyn Mail Boxes store by graffiti punks. When Butts opens his shop in the morning, and it's been newly tagged, there's a "momentary hurt," he says. "You wonder: 'Why would they do this?' They don't understand what's involved in running a business. We attempt to render a service to the community."

The *Times* is enamored of the alleged expressive purposes of graffiti; maybe it should recognize the communicative efforts of struggling entrepreneurs. Asked why he removes graffiti, Butts says: "What goes on our walls is designed to represent our business to passersby. We have to be crystal clear what we are offering. We can't just leave it up there, because we want our business to be. . . . " He pauses. "I want to say, 'pristine,' so people will want to come in."

Like many of his fellow shopkeepers, Butts is black. Whether he survives economically should be of far greater concern to city opinion-makers than whether Peter Missing's martini icon reaches immortality. Butts has chipped in $1,200 to bring Bruce Pienkny's Graffiti Answers into North Flatbush to clean up the scourge, a cost he can ill afford. Too bad he didn't invest a mere 75 cents a day in a *New York Times* subscription, so he could have learned how unnecessary that $1,200 outlay was—or how unnecessary is the $1 million a year of taxpayers' money that New York City shells out for graffiti removal each year.

The *Times* purports to dictate to politicians and voters how to run New York with compassion and equity. Yet from their supremely establishment position, the graying and balding baby-boomer editors continue to nurse their adolescent fantasies of rebellion. They confer celebrity status on unknown losers such as Peter Missing (he once met Allen Ginsberg! the *Times* reassures us, so he's not just a nobody) and thrill to their criminal behavior.

The *Times* is a fitting mouthpiece for a generation that refuses to grow up.

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Gotham's Unrepresentative Representatives

You can count on New York's congressmen to vote against the city's economic interest.

Steven Malanga

Carolyn Maloney's congressional district includes perhaps the greatest concentration of businesses in the country—some 40,000 firms operating throughout whole swathes of midtown Manhattan and bustling commercial neighborhoods in Queens. But this rich business environment, providing jobs for hundreds of thousands of New Yorkers, is invisible on Maloney's radar screen. In the last session of Congress, the Upper East Sider so consistently voted against the interests of business that a Washington lobbying group—the Small Business Survival Committee—gave her its lowest rating possible: zero. Still, in the 107th Congress, Maloney did propose one piece of business legislation: a bill that would give tax credits to companies that set up "lactating stations" so that mothers can breast-feed their children on the job. Not surprisingly, the breast-feeding legislation is low on the priorities list of New York's major business groups.

Far from being an anomaly, Maloney is typical of Gotham's overwhelmingly Democratic congressional delegation, which increasingly votes against the economic well-being of the global capital center that is New York. The city's representatives stridently oppose business-friendly initiatives, battle free-trade legislation that would boost Gotham's global services sector, and vote down tax cuts that might bring relief to a city whose residents pay disproportionately more in federal taxes because they are more affluent and hence get hit harder by the nation's progressive tax code. Instead, the New York delegation campaigns almost exclusively for ever more social spending for a city already so awash in social services subsidies that major new federal spending in Gotham is unlikely any time soon.

Although New York has long had a liberal tradition somewhat at odds with its role as America's center of capital and wealth, the city's congressional delegation is veering further and further leftward, so far out of the mainstream that many of its members have become almost irrelevant in Washington on issues of economic and fiscal importance to the city. The delegation today is little more than a shrill chorus of Bush-administration critics. But even during the Clinton presidency, when New York congressmen should have been powerbrokers, most largely opposed their own party leader on key legislation and hence played almost no role in shaping significant tax and trade legislation. Says one

Illustrations by Sean Delonas

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former Giuliani-administration deputy mayor: "When it came to lobbying in Washington for what we needed, mostly we just did end runs around them, because the New York delegation rarely got beyond the idea that what we always need from Washington is more spending. They fit the stereotype in Washington of the money-grubbing New Yorker."

Up until the mid-1970s, the city often enough elected business-friendly Democratic congressmen like Hugh Carey, who preached fiscal discipline and became a tax cutter as governor, or Ed Koch, who leaped from the House of Representatives to Gracie Mansion by taking on the public-employee unions and emphasizing the need to restrain the city's budget. But then the local party organizations that had produced such candidates gave way to the rising power of municipal employees—who after they gained the right to collective bargaining in 1958 inexorably shaped themselves into a dominant New York political force—and to social services organizations and advocacy groups that sprang up in response to Great Society federal spending. Slowly, those interest groups began to put forth a new breed of candidate with an agenda more narrowly focused on increasing government expenditure and raising taxes to pay for it. The candidates—often facing token opposition or no opposition at all from Gotham's hapless GOP, so that they are the only choice the voters have—made their way first into the state legislature and City Council and from there have assumed their place in the city's congressional delegation.

The result is a Gotham delegation increasingly manned by former public employees, social advocates, and lifetime political operatives, whose priorities rarely coincide with the city's economic interests. Maloney is a case in point: a former public school teacher, she spent ten largely undistinguished years in the City Council before winning her seat in Congress, where her most recent legislative agenda has included, in addition to her "corporate lactation" bill, support for parental leave for federal employees and a bill to protect the civil rights of victims of "gender motivated violence." Maloney plays politics in Washington as if she were in the midst of some raucous Manhattan community board meeting, which is one reason it's easy for her Washington colleagues to dismiss her as a grating New Yorker with little of substance to offer. Shortly after President Bush took office, Maloney used a casual, get-acquainted meeting between the president and the Democratic caucus to hector Bush, which prompted one reporter to observe that "Maloney treated the president like an antagonist in New York City's left-wing Democratic politics." During the campaign for more federal aid for the city after September 11, the *New York Times* described her as among the most "strident" of the city's delegation, more anxious to "browbeat Bush" than to push tax cuts to help New York recover.

Vying with Maloney as one of the delegation's furthest-left members is West Sider Jerrold Nadler, who represents most of the wealthy Manhattan residential neighborhoods and thriving business areas that are not part of Maloney's district. Like Maloney, Nadler has racked up one of the most rabidly anti-business, anti-tax-cutting voting records in Congress. That's not surprising for someone who has spent his working life in government—signing on as a legislative aide in Albany shortly after college, then

Rep. Jerrold Nadler

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winning a seat in the Assembly in 1976, which he held for 16 years before leaping into Congress. Like Maloney, Nadler favors the kind of strident overstatement that places him on the fringes of most national debates, as when he intoned in the midst of the Florida recount after the 2000 presidential election that there was "a whiff of fascism in the air." The American Federation of Teachers and environmental groups give Nadler favorable ratings; but the man whose district encompasses lower Manhattan, including the site of the World Trade Center, garners among the lowest scores possible from business groups as an advocate of the free market.

Beyond Manhattan, even those delegation members who speak for solidly middle-class outer-borough neighborhoods that vote Republican when given the chance, as in the last three mayoral elections, now support more government spending and higher taxes. Anthony Weiner, for instance, represents a district that includes Queens neighborhoods like Forest Hills and Rego Park, along with Brooklyn's Sheepshead Bay—areas that have a higher-than-average family income and a poverty level only about half the city average. But Weiner votes closely with the delegation's left-wingers on most bread-and-butter issues affecting New York, and consequently he also gets among the lowest ratings in Congress from business and anti-tax groups. Representing, as he does, a protected Democratic district, Weiner feels comfortable declaring, as he did to *City Journal* after 9/11, that "the era of small government is over," and "no one in my district is asking for tax cuts."

For two decades, though, his constituents have sure voted as if they wanted lower taxes. "Queens was a strong home of Reagan Democrats," says Jeff Wiesenfeld, who founded a conservative Democratic club in the borough before becoming a Republican in 1998. "From the white-collar families in Douglaston to blue-collar workers in Middle Village, these are people who voted for Reagan, Giuliani, and now Bloomberg. How can you say they don't favor tax cuts?"

Even so, Weiner's Queens colleague in the House, Rep. Joseph Crowley, sounds similar anti-tax-cut themes, even though he too hails from a solidly middle-class outer-borough district that includes Queens neighborhoods like Elmhurst and Flushing. In every year he's been in Congress, Crowley has earned an "F" rating from the National Taxpayers' Union, a nonpartisan Washington watchdog group. Speaking with *City Journal* earlier this year, Crowley derided a highly reasonable capital-gains tax cut proposed after September 11 to help revive the city's securities industry, branding the idea "the ultimate in trickle-down economics."

Because such attitudes—however much favor they may find with the special interests that dominate the left wing of the Democratic party—have helped marginalize many city representatives in Washington, New York's solons have drifted into trivial issues that rarely resonate in their districts. While Maloney floats off into the legislative never-never land of "lactating stations," Rep. Gary Ackerman, who represents a wealthy Queens/Nassau district, has not only forged a reputation as an animal-rights extremist sponsoring legislation endorsed by People for the Ethical Treatment of Animals, but he also has campaigned for an end to the navy bombing on Vieques. Meanwhile, he scores among the lowest ratings from groups like the U.S. Chamber of Commerce.

Of course, beyond its thriving business districts and middle-class neighborhoods, New York also includes some of the country's poorest congressional districts. Here, Gotham elects a slate of black and Hispanic officials who unfailingly tout expensive social programs as prescriptions for the city's economic ills, but who scoff at free-market initiatives that, when tried, have actually unleashed economic power in their neighborhoods. Hewing to such an agenda, the city's minority caucus has had almost no role in spurring the economic gains of the mid- and late 1990s, which were prompted by local tax cuts and big declines in crime that helped propel poorer neighborhoods like Greenpoint, Brooklyn, the Mott Haven section of the Bronx, and Central Harlem to solid increases in per-capita income.

Under the rubric of economic development, the minority members of the delegation have championed government spending on ineffective programs that have done little to help boost low-income neighborhoods—most notably the federal empowerment-

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zone program that Charles Rangel, the dean of the group and the patronage panjandrum of Harlem, helped to create during the Clinton years. In its early stages, the program aimed to pour money into social services programs designed to eliminate the supposed "root causes" of poverty, but it did little to encourage the private investment that Harlem needed for sustained economic gains. Fortunately, the Pataki administration moved the program toward free-market initiatives that used public money to attract private investors and businesses uptown. That approach, aided by the Giuliani administration's successful war on crime—an initiative condemned by most members of the city's minority congressional caucus, including Rangel, who was arrested while protesting Giuliani's policies at police headquarters—helped produce a burst of development in Harlem unparalleled in the last 50 years.

"In Washington, Gotham's congressmen inevitably vote for higher government spending fueled by higher taxes."

New York's minority congressmen are among the most ultra-left-wing legislators in Washington. Of the ten members of the House of Representatives rated the most liberal in the country by *National Journal* in 2001, four are New York City black or Hispanic congressmen, led by the Bronx's Jose Serrano. A staunch Al Sharpton supporter who last summer called on the national Democratic party to take Sharpton's bid for the party's presidential nomination "seriously," Serrano says that his designation as Congress's most liberal member "reflects my concern for people like those in my community who don't always share in the economic prosperity of the country." But Serrano has a strange way of displaying concern for his community's economic needs. In the last session of Congress, the only bills involving economic matters that the Bronx Democrat sponsored were aimed at moderating U.S. trade restrictions on Cuba.

In this vein, the New York delegation's minority members often seem more concerned with the impact of legislation on Third World countries than on New York. In May, for instance, they all voted against a bill that would protect American textile makers—but only because they feared that the bill, by inhibiting free trade, would hurt manufacturers in South America and Africa. More usually, they are rabidly protectionist and vote against free-trade legislation beneficial to Gotham and heavily supported by New York industries.

In Washington, Gotham's congressmen inevitably vote for higher government spending fueled by higher taxes—even though every time Washington raises taxes, the effect falls disproportionately on New Yorkers. Although there are no precise data on how much in federal taxes New York City residents pay, we do know that New York State residents have the fourth-highest per-capita federal tax burden in the country, because, with their higher-than-average incomes, they get hit harder by the country's progressive tax code. Residents of New York State accounted for 6.6 percent of all federal income-tax filings in 1999 but paid 8.5 percent of the federal income tax, according to the Manhattan Institute's E. J. McMahon. New York City, with its big cluster of high earners, is subject to similar inequities.

Many of the state's congressmen outside of New York City understand this added burden, which is why they generally vote against tax increases. But of Gotham's 18 representatives in Congress, only Republican Vito Fossella, who represents Staten Island and portions of Brooklyn, opposes higher tax rates and advocates tax cuts even for those making above $100,000. He argues that what makes people rich somewhere else in the country only makes them middle-class in New York City. "I am always amazed when those who represent New York City stand up in Congress and say that we don't need lower tax rates," Fossella says. "In their view, if you are a police officer married to a schoolteacher in New York City, you are considered rich."

Most of the city's delegation has done all it can to derail tax cuts or, when reductions are inevitable, to

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skew the cuts away from higher-income earners, who make up a far larger portion of New York City's population than the nation's, and whose spending and job creation contribute so much to the city's economy. Nadler, for instance, led a Democratic group that tried to replace the Bush 2001 tax cut with a $300 tax credit for every taxpayer and dependent in every year that the federal government runs a surplus. This "flat tax cut," by treating everyone's tax refund equally, would have shortchanged New York residents—and especially the residents of Nadler's own district, where annual household income averages $90,232, or 65 percent above the national average.

By contrast, the tax cut Bush originally proposed early in 2001 would have brought New Yorkers an average refund of $1,600, because it included bigger cuts in higher-income-tax brackets. Even the federal tax cut eventually passed, though smaller than what Bush proposed, turned out to be a better deal for most New Yorkers than what city Democrats supported. It will amount to about $89 billion in savings for state residents over the next ten years, according to an analysis by the Manhattan Institute's McMahon, with more than three-quarters of those savings realized by taxpayers who live in New York City and its surrounding suburbs. Still, every Democratic member of Congress who represents New York City voted against the tax-cut package, and many derided the refunds that they and their constituents received this summer. Queens's Ackerman, for instance, told the *New York Post* that he would use his refund to "buy lottery tickets to see if I can win some real money," while the Bronx's Elliot Engel said that he would use it to buy a year's subscription to the *Post*.

The cavalier unconcern that New York's delegation displays toward taxpayers takes a sharper edge where Gotham's biggest industries are concerned; city representatives are consistently hostile to tax and trade measures that would benefit the big companies and core businesses that create Gotham's jobs and wealth. Exhibit A is the delegation's steady opposition to lowering the federal tax on capital gains, despite evidence that cuts in this tax spur investment activity and fatten Wall Street's revenues, thereby improving the city's economy by boosting its Number One industry. The 1978 capital-gains tax cut, for instance, produced a flurry of stock and bond trading that resulted in a doubling of profits for New York securities firms in just two years, while securities employment in the city shot up by 22 percent in that same period, after having been flat for most of the 1970s.

In the mid-1990s, Wall Street began lobbying for a capital-gains tax cut, but Gotham Democrats opposed the move. Rep. Charles Rangel, whom the National Taxpayers' Union recently branded as Congress's biggest spender and most ardent opponent of tax cuts, even proposed an alternate plan with a smaller gains tax cut to sidetrack the bill. Every Democratic representative from New York City voted against a version of the tax bill that included a Republican-sponsored cut. Only later, when President Clinton included a less substantial capital-gains cut as part of a tax compromise, did most New York City congressmen vote for the measure. But if the New York delegation had had its way, the gains cut that benefited their city's premier industry would never have been in the bill in the first place.

Although the tax cut helped ignite a boom on Wall Street, it didn't do much to change the tune of the city's intransigent legislators. For the three years after the 1997 cut, Wall Street firms earned nearly $45 billion, 50 percent more than any other three-year period in Wall Street history, and securities firms added 25,000 jobs in the city. Encouraged by those results, Mayor Giuliani strongly endorsed another capital-gains tax cut to revive the city's flagging economy after 9/11. But he got no support from his own New York delegation, even from those whose districts teem with securities-industry workers. "I don't think a capital-gains tax has the kind of macro effect on the economy Giuliani expects," Queens congressman Anthony Weiner told *City Journal*. Added Weiner, whose district includes more than 37,000 residents who work in the finance, insurance, and real-estate industry: "To the Republicans, capital-gains tax cuts are a cure for everything, including the common cold." The proposed cut never materialized.

The one issue as critical to New York's economic well-being as low taxes is free trade, and here too the city's federal legislators consistently fail their

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constituents. Gotham has become perhaps the ultimate world-business capital, benefiting as much as any city anywhere from globalization. The city's powerful financial institutions, along with its major consultants, law firms, accountants, and ad agencies, are all in great demand from overseas corporations and governments for their expertise. Wall Street firms alone bring about $1 billion in annual receipts from foreign sources, a hefty contribution to the New York economy.

But the city's congressional delegation consistently tries to block free-trade initiatives, even when the national Democratic leadership supports them. Every Democrat representing New York City, except Nita Lowey and Floyd Flake, voted against the North American Free Trade Agreement in 1993, even though the Clinton administration supported it heavily, and even though, as the *New York Times* noted before the vote, "the area's most important employers, including banks, brokerage houses, insurance companies, pharmaceutical manufacturers and publishing concerns, would indisputably benefit," because those companies were all poised to boost revenues from Canada and Mexico once trade barriers fell. But the delegation put their loyalty to their big union contributors ahead of the interests of the city. As even the *Times* noted editorially during the NAFTA debate, labor political action committees had contributed a whopping $2.8 million over the previous ten years to New York NAFTA opponents.

Fortunately, Republicans and moderate Democrats pushed NAFTA through, and it proved a great local boon. Exports of goods and services between New York State and Mexico and Canada increased by an annual average of 7.2 percent in the six years after NAFTA, while exports between New York and all other countries increased by just 2.9 percent annually in those same years. Businesses as different as New York hotels like the St. Regis, which attracted more upscale Mexican tourists, benefited, as did New York's commercial and investment banks—including Chase Manhattan, Goldman Sachs, and Merrill Lynch—which emerged as major players in finance south of the border. Meanwhile, the Department of Labor estimated that NAFTA cost New York State fewer than 2,000 lost manufacturing jobs.

The Clinton administration ultimately learned how to woo some New York solons on trade issues—not by patient economic argument but by offering even bigger payoffs than the New Yorkers could get from the unions. Clinton enticed Rep. Rangel to vote for favored trading status for China, for instance, by promising him a trade treaty with sub-Saharan African nations—a pet Rangel project, though not one that mattered to New York's economy. Rangel then brought Clinton the support of some members of the Congressional Black Caucus on China trade, including some New Yorkers. Still, labor stalwarts like Nadler and Crowley all voted against the China bill—even though the region's businesses export more than $1 billion a year in goods and services to China. With Clinton gone, the New York delegation is becoming even more stridently anti–free trade, with every one of its Democratic members voting against a bill last December to expand the ability of the president to make trade agreements, a bill strongly favored by a host of New York industries and the editorial pages of the city's dailies.

Rep. Carolyn Maloney

Instead of supporting free-market initiatives that would enrich Gotham, the city's congressional delegation pushes for increased public spending detrimental to New York's economy. Its members clearly think that it is better to lure money from Washington than to cut taxes and thus prevent the federal government from draining resources from the city in the first place. And so the delegation fights vigorously for funds for the city's bloated and inefficient hospital industry and its union allies. It resists welfare spending cuts, champions more money for

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subsidized housing, and backs an economic-development agenda that includes higher spending for job training, day care, and other programs that have proven ineffective at spurring the economy.

But it is a losing battle. The gap between what New York receives from Washington and what it sends in taxes is only growing larger, not smaller, and every trend suggests that it will continue to do so no matter how ardently the delegation fights for more federal money. Only tax cuts can significantly shift the balance back in New York's favor.

Nothing makes this point clearer than a close look at the money flows between Washington and New York, which reveals that the federal government is actually not shortchanging the city, especially on the social spending programs that are so dear to New York's congressional delegation. If we use former senator Daniel Patrick Moynihan's method of weighing what a state's residents and businesses pay in taxes against what they get back in federal dollars, we find that New York State had a balance of payments deficit with Washington of $890 per person in 1999, the last year for which data are available. Moreover, historical data show that the deficit has continued to grow through both Republican and Democratic administrations and is three times today what it was 20 years ago in current dollars. Although no comparable data exist for the city, its payments deficit is probably equal to that of the state, because Gotham receives about the same amount in federal spending per capita as New York State, and pays per-capita taxes that are higher than the U.S. average.

The city's congressional delegation has traditionally used this huge balance of payments deficit to argue for more federal spending; after 9/11 those calls intensified, and the delegation trotted out the Moynihan study again to show why New York deserved more. But a close look at Moynihan's numbers demonstrates that the deficit with Washington is almost entirely a function of low government spending in just two areas—defense and social security—which hardly suggests that Washington is stiffing New York.

While defense spending nationally averages $835 per person, in the Empire State it averages just $295 per person and in the city a mere $75. But instead of working to redress this huge imbalance, the city's congressmen have often done quite the opposite, acting as ferocious critics of defense spending and therefore ensuring that New York does not get its share of these dollars. During the big Reagan defense buildup, the city's congressional delegation, led by the late congressman Ted Weiss, largely opposed efforts by Defense Secretary Casper Weinberger to open a naval base on Staten Island, while the City Council passed a resolution rejecting the base. Weinberger okayed the facility anyway, in part to boost defense spending in New York. Then, in the defense cutbacks that began in the early 1990s, members of the city's congressional delegation fought to close the Staten Island base, still under construction and unoccupied—as did the Dinkins administration. At one point, in fact, the city's chief lobbyist in Washington was working to get the base tabled, while the state's lobbyist was striving to keep it open. Ultimately, the Clinton administration axed the base—which would not only have pumped $100 million a year in federal payroll spending into New York but would also have resuscitated the Brooklyn shipbuilding and ship-repairing industry. But Washington also voted to keep open Fort Drum near Watertown, New York, an army base that upstate representatives helped to save. It has since contributed more than $1 billion to the upstate economy.

The second reason Washington's flow of funds to New York City and State falls short is because federal Social Security payments to New Yorkers are slightly lower per capita than the national average. But this deficit has little to do with federal policies toward New York. It occurs because while city residents pay disproportionately more per capita in income taxes, Gotham's over-65 population is proportionately smaller than the nation's. This balance of payments deficit is unlikely to change soon unless New York takes steps to stem the migration of its seniors to places like Florida, with a friendlier tax climate to match its friendlier weather.

The city's congressional delegation contends that Washington should make up the federal spending gap by expending more in New York on social programs like Medicaid and welfare. Rep. Weiner, speaking with *City Journal*, scored Republicans in Congress, including House Ways and Means Committee chairman Bill Thomas, for short-

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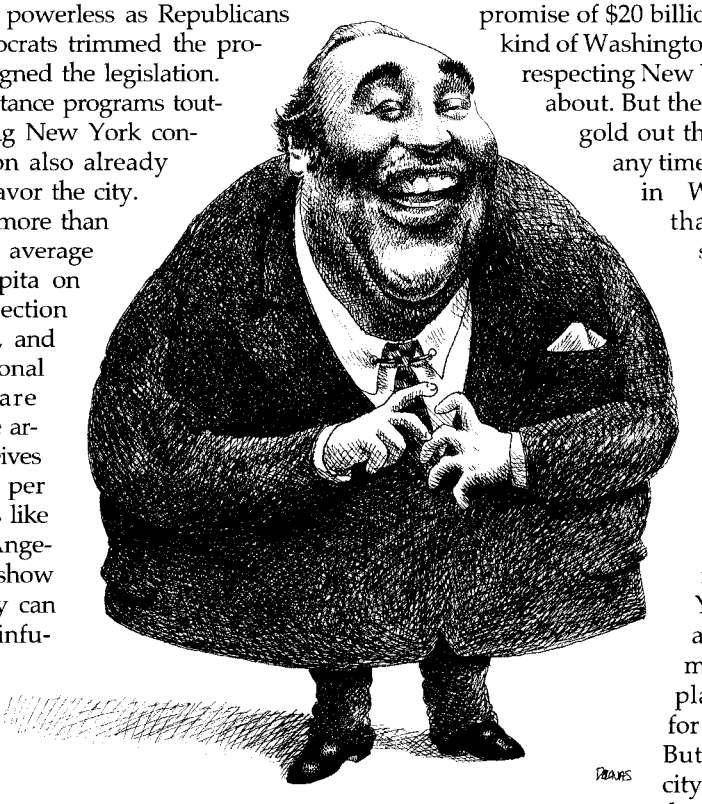
changing New York on Medicaid. Mayor Bloomberg has taken up their chant, too, disingenuously arguing that the city doesn't get its fair share of Medicaid funds.

But these arguments no longer resonate in Washington, because the city and state already receive such a disproportionate share of such federal monies that it becomes harder every day to contend that they deserve even more. The Moynihan report consistently finds that New York State ranks Number One in the nation in per-capita federal spending on assistance programs, led by Medicaid, and New York City's proportional share of this pot is even huger than the state's. For instance, federal Medicaid expenditures nationally average $425 per capita—but a gigantic $1,285 per capita in New York City. By contrast, Chicago only gets $514 per capita; Los Angeles, just $464. It is precisely because of these kinds of funding inequities in New York's favor that Medicaid became a huge target for cutbacks in the Balanced Budget Act of 1997, and the New York delegation stood by powerless as Republicans and moderate Democrats trimmed the program and Clinton signed the legislation.

Other federal assistance programs touted by the left-leaning New York congressional delegation also already disproportionately favor the city. New York receives more than double the national average of spending per capita on food stamps and Section 8 housing subsidies, and four times the national average of welfare spending. In all these areas, the city also receives significantly more per capita than big cities like Chicago and Los Angeles. These numbers show why New York City can hardly expect big infusions of spending unrelated to 9/11 from Washington any time soon, and why New York City's political delegation has been reduced to arguing on the margins for a few dollars here and there.

By contrast, tax cuts could powerfully redress the spending federal balance of payments deficit with New York. The first round of the Bush tax cut returned an estimated $1 billion to New York City residents, according to the Manhattan Institute's McMahon. Over ten years, the tax cut could return as much as $40 billion to city residents. That is far more than the delegation could possibly extract from Washington in social spending programs—a point that New York's congressional delegation would rather ignore.

The attack of September 11 brought the economic issues that face New York City into sharp focus. Unfortunately, it also served to reinforce the most counterproductive tendencies of the city's congressional delegation. They saw President Bush's promise of $20 billion in federal aid as the kind of Washington jackpot that any self-respecting New York legislator dreams about. But there are no other pots of gold out there for the delegation any time soon, and every trend in Washington suggests that New York's big spenders are likely to be on the defensive for years to come, no matter which party wins the White House. Unless the city's congressmen somehow change their tune—or unless the city's residents change their representatives—New York's House members are likely to be little more than marginal players in Washington for the foreseeable future. But that's better for the city they represent than if they were powerful. ■



Rep. Charles Rangel

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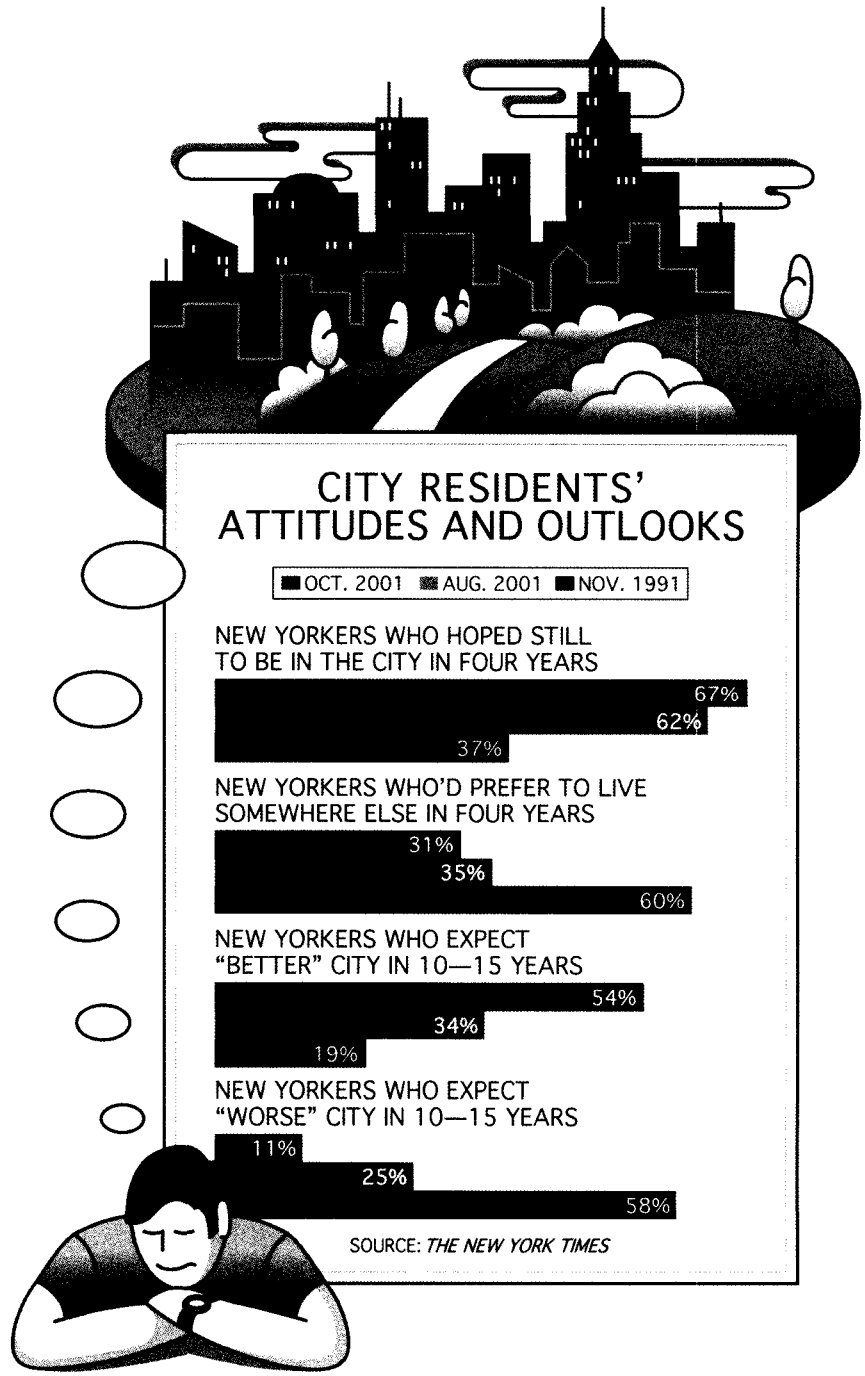
City Journal's Quality-of-Life Index

The numbers in this first installment of a new twice-yearly feature show how dramatically the city's fortunes have improved by most measures.



Graphs by Alberto Mena

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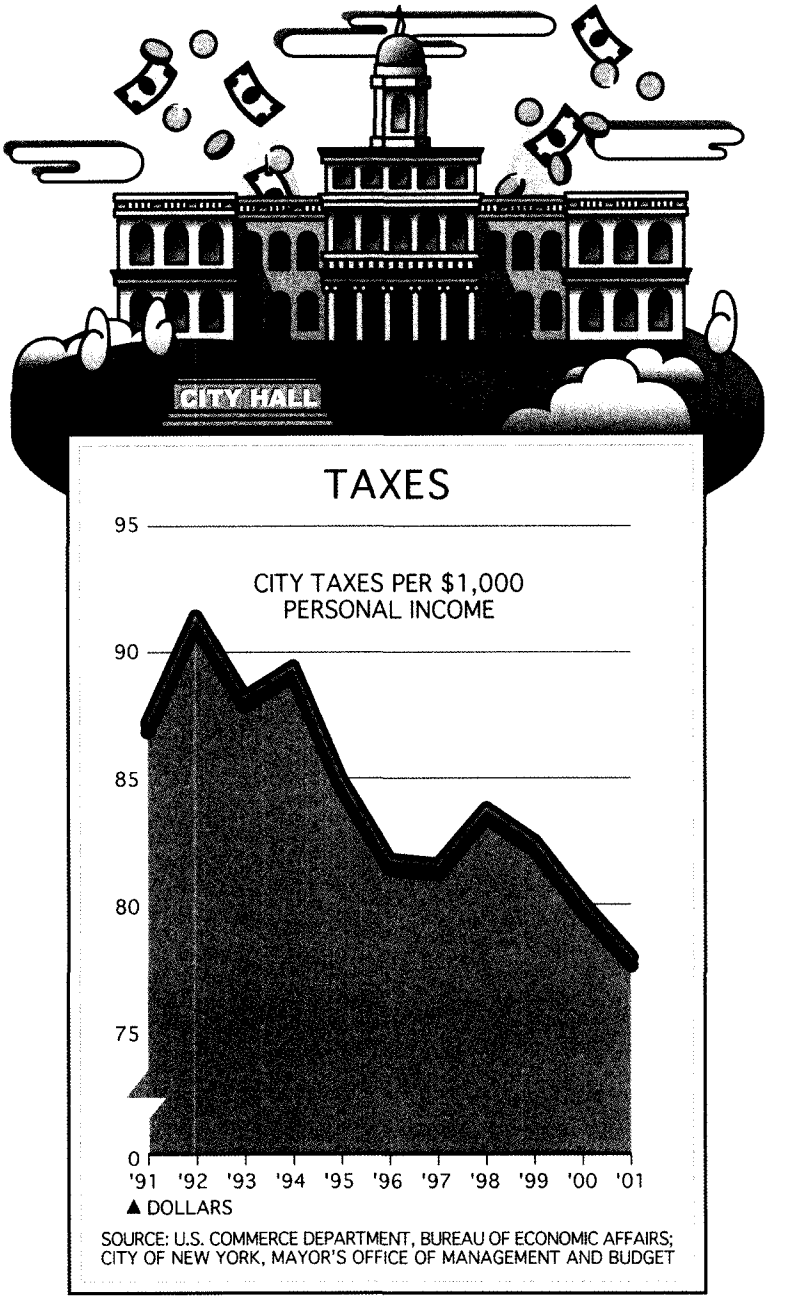

E. J. McMahon

With just a couple of exceptions, the statistical trends shown on these pages reflect a decade of extraordinary improvement in New York City's quality of life. Our charts, which span the decade from 1991 to 2001, make clear the extremity of the city's crisis in the Dinkins era and quantify the magnitude of the Giuliani administration's epochal achievement in saving the city. They are also a worthy set of basic performance benchmarks for Mayor Michael Bloomberg. In our twice-yearly updates of these charts, we will be measuring how well the new mayor succeeds in improving the fortunes of the city he inherited from his predecessor.

By any standard, the improvements over the last decade were impressive in several key respects:

* Private-sector employment was up a net 356,000 jobs—even after the loss of more than

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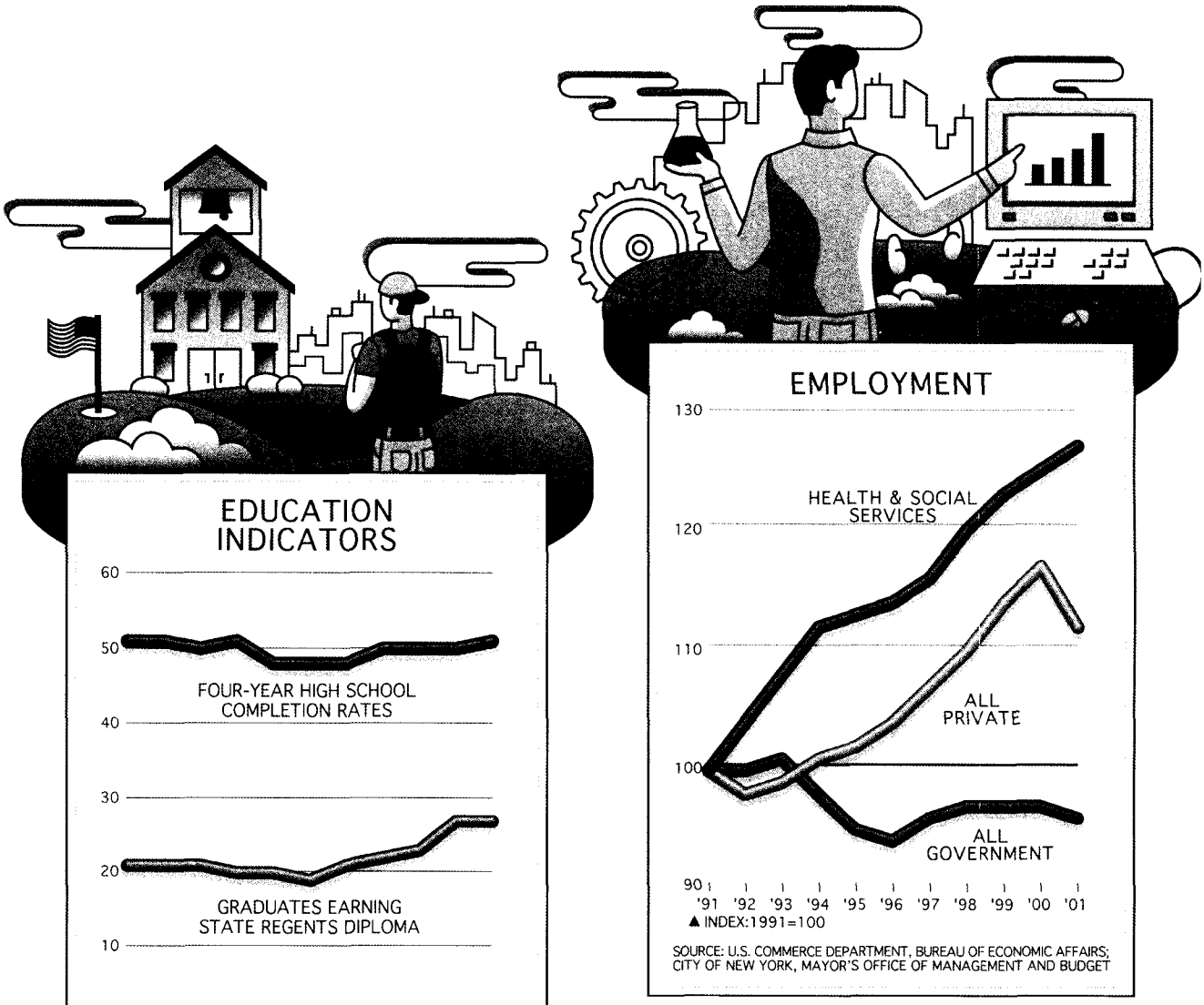

100,000 jobs in the wake of the World Trade Center attack.

* The number of welfare recipients dropped by nearly 50 percent; in fact, the 2001 total is a 36-year low.

* Major felony complaints dropped by more than 60 percent.

* The tax burden, relative to personal income, was 11 percent lighter, and the top city income-tax rate was 20 percent lower.

Not surprisingly, New Yorkers also felt a lot better about the city at the end of this period than at the beginning, according to the *New York Times*'s periodic polls. Back in 1991—when the city was well into its Dinkins-era downward spiral—a disturbing 60 percent of city residents indicated they'd prefer to be living somewhere else in four years. A similar number thought New York would become a worse place to live, while only 19 percent thought it would get better over the long term.

By the summer of 2001, as the chart shows, those numbers had reversed themselves. And in the wave of civic pride that followed 9/11, New Yorkers' attitudes toward their city grew even more positive.

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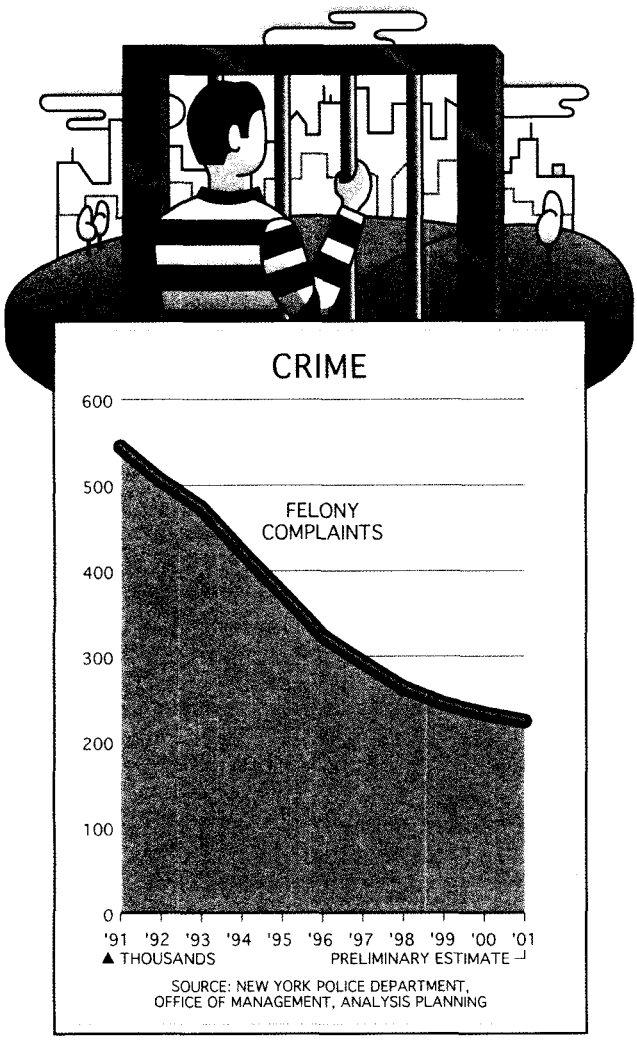

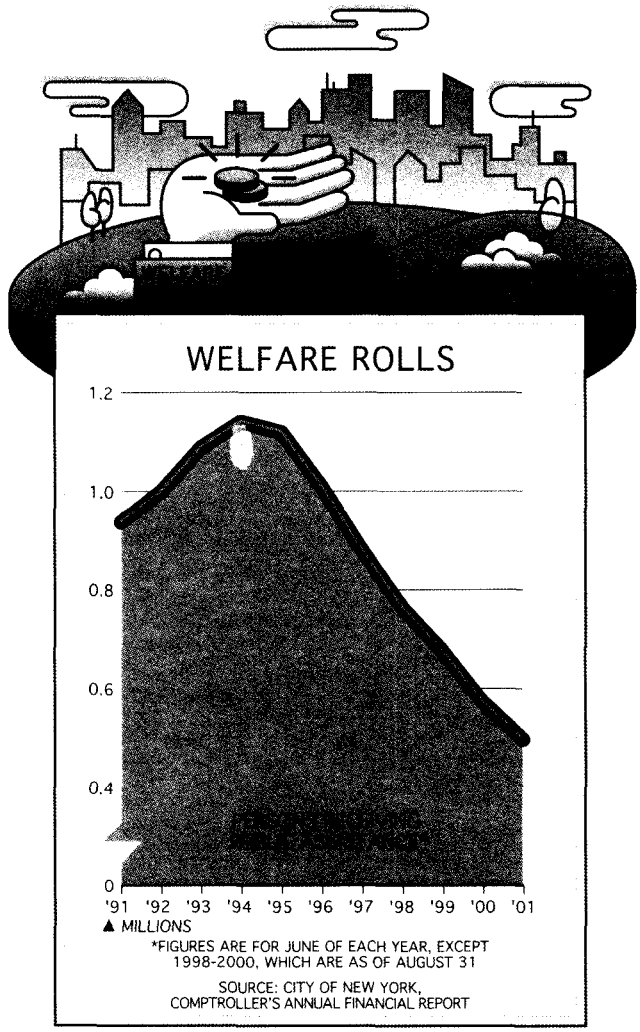

But the trends weren't all positive.

* The personal income-tax rate rose in 2002—the first such tax increase in eleven years—thanks to the lame-duck City Council's inaction last December on Mayor Giuliani's request to make the city's last round of tax cuts permanent. Even with the cuts, the tax rate remained higher than in 1989, Ed Koch's last year as mayor.

* While fewer New Yorkers work directly for government, the number of largely taxpayer-funded jobs in social services and health care has continued to grow.

* And while more high school graduates are taking more challenging regents exams, the overall four-year completion rate remains mired around the 50 percent mark. Thirty percent don't graduate by age 21.

As Giuliani's successor, Bloomberg has to keep the positive trends of the past decade on the right track—and get the negative indicators moving in the right direction too, as he may already have started to do with his school governance reform victory.

We'll be watching.

Research for this article was supported by the Brunie Fund for New York Journalism.

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Why Havana Had to Die

Theodore Dalrymple

Decay, when not carried to excess, has its architectural charms, and ruins are romantic: so romantic, indeed, that eighteenth-century English gentlemen built them in their gardens, as pleasantly melancholic reminders of the transience of earthly existence. But Fidel Castro is no eighteenth-century English gentleman, and Havana is not his private estate, for use as a personal *memento mori*. The ruins of Havana that he has brought into being are, in fact, the habitation of over 1 million people, whose collective will, these ruins attest, is not equal in power to the will of one man. "*Comandante en jefe*," says one of the political billboards that have replaced all commercial advertisements, "you give the orders." The place of everyone else, needless to say, is to obey.

Havana has changed a little since I was last there, a dozen years ago. The vast Soviet subsidy has vanished; the economy now depends on European tourism. The influx of tourists, most of them in search of a cheap holiday in the tropics and cheerfully oblivious to Cuba's politics, has necessitated a slight degree of flexibility. Small private family restaurants, called *paladares* (*paladar* is Spanish for palate), with no more than 12 seats, are now tolerated, though the hiring of non-family labor, deemed exploitative by definition, is still not permitted. Only certain dishes are allowed—not fish and lobster, reserved to the state restaurants—and those *paladares* that break the rules operate like speakeasies in the time of Prohibition, the fish-bootlegging owners keeping a nervous eye out for informers. (Committees for the Defense of the Revolution still operate everywhere.) The owner of one such that I visited—with no sign outside to mark its existence—anxiously looked through the peephole of the door before letting anyone in. The taking of a simple meal at one of the three tables turned into a scene from a spy novel.

Flea markets are also now legal in Cuba, and a petty trade in cast-off clothing and household goods takes place. Twelve years ago it was unthinkable for anyone to buy or sell anything in the open, for buying and selling were symptoms of bourgeois individualism and contrary to Fidel's socialist vision, in which everything is to be rationed—rationally, as it were—according to need. (In practice, of course, this meant rationing according to what there was, which was not much.)

Openings to small-scale commerce have occurred before during Castro's 43-year rule, but they have always soon succumbed to periods of "rectification," after it became all too apparent that people were responding more vigorously to economic incentives than they ever had to the "moral" ones praised in the adolescent theories of Che Guevara. But this time the commercial activity is more secure, because it is essential to the regime's economic survival. When last I was in Havana, even the dollar-laden foreigner couldn't find food to eat outside his hotel—a situation that hardly encouraged mass tourism. Now, of necessity, cafés and bars aplenty cater to the visitor.

The economy is now extensively dollarized, a curious and ironic denouement to decades of impassioned nationalism. When I asked in my hotel to change money into pesos, I was told—quite rightly, it turned out—that I would not need them. The few dusty shops that were prepared to exchange goods for pesos—for *moneda nacional*—advertised this extraordinary fact in their windows, as if performing a miracle, though the goods for sale were few and of the lowest quality. Last time I was in Cuba, the possession of a dollar by an ordinary Cuban was a crime, virtually proof of disloyalty and disaffection, if not of outright economic sabotage of the revolution. Dollars were handled as if they were nitroglycerine, liable to blow up in your face at the slightest jolt; but now they are merely units of currency, which anyone may safely handle.

The sheer number of foreign visitors to Cuba means that, though the hotel lobbies are still patrolled by security men with walkie-talkies to ensure that no unauthorized Cubans enter, relations between Cubans and foreigners are more relaxed than they once were. To talk to a foreigner is no longer a sign of political unreliability, and conversations do not have to be carried out in a hole-and-corner

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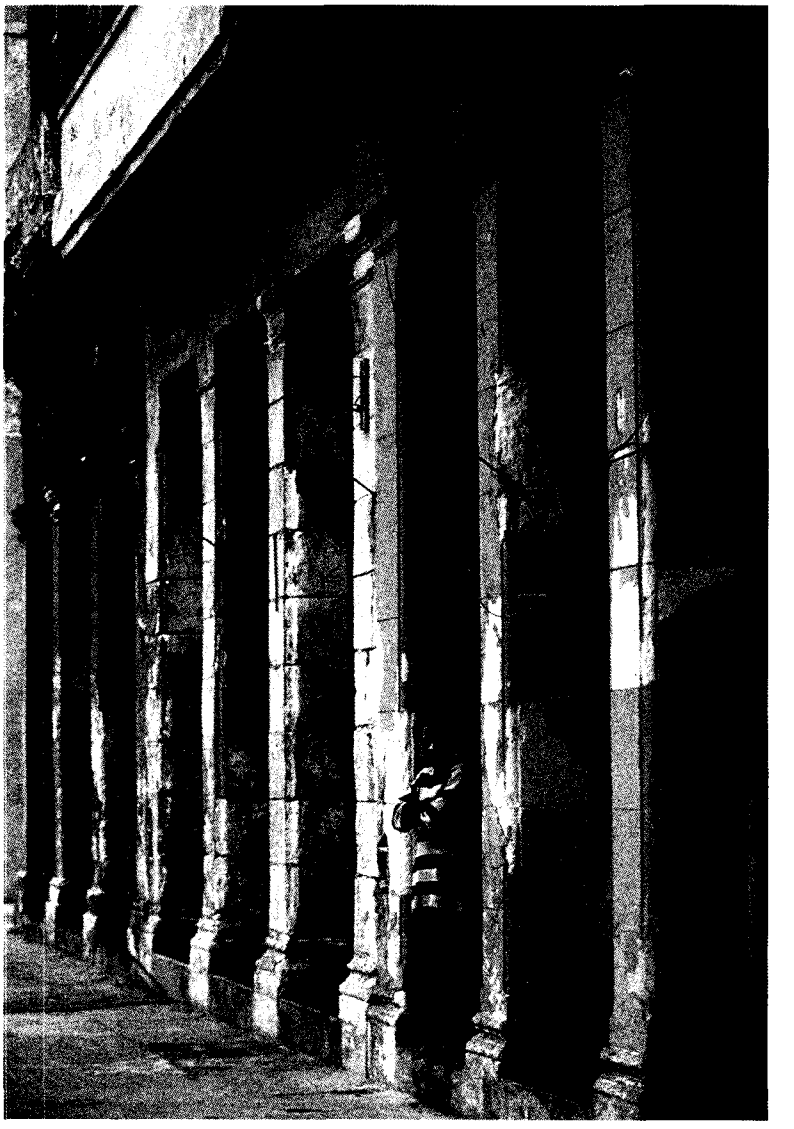
fashion, behind walls, with one nervous eye open for spies and eavesdroppers. I even received a few requests that I send medicine, since none was available in the local pharmacies—an admission, unthinkable a few years ago, that all is not well in the much-vaunted health-care system.

People will even speak of *lo bueno* and *lo malo*, the good and the bad, of the revolution—usually adding that *lo malo* was very, very bad. One man, brought up in the 1970s, told me that he had been fired by revolutionary romanticism, with Che Guevara and John Lennon as his heroes (he told me proudly that Havana was one of three cities with memorials to Lennon, the others being Liverpool and New York). He thought then that a new world had been in construction: but he knew now that it had been a dead end. And old people in particular are inclined to murmur *jabón* (soap) as you pass, in the hope that you might have some of this rare and precious commodity to give away. When the first old lady came up to me and said *jabón*, I thought she was mad; but she was only the first of many.

There are now signs of a slight intellectual opening. In *La Moderna Poesía*, a bookshop in an art deco building on the Calle Obispo, I found a Spanish translation of Karl Popper's *The Open Society and Its Enemies*. The price in dollars was unlikely to attract many Cuban buyers. Perhaps it was there only to convince foreigners of the regime's intellectual tolerance; perhaps any Cuban who tried to buy it would be reported at once to the authorities: but even so, the mere public presence of a work so antithetical to the regime's philosophy would have been unthinkable a dozen years ago.



THOMAS HOEPKER/MAGNUM PHOTOS

By contrast, the newspapers, *Granma* and *Rebelde*, have not changed at all: to have read them 40 years ago is to have read them today and tomorrow and in ten years' time, if the regime lasts that long. The incessant recital of social progress in Cuba in the face of adversity, and horrible social breakdown everywhere else (especially, of course, in the United States), would bore even the truest of believers. No doubt that is why I

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LIBA TAYLOR/CORBIS

saw not a single Cuban reading a newspaper or taking any notice of the aged itinerant salesmen, each with about five copies to dispose of. When I expressed an interest in buying one, the old men took the opportunity openly to ask me for money: selling the newspaper was only a pretext to approach and beg. The question "How much is the newspaper?" always drew the answer "Whatever you would like to give."

Forty-three years of totalitarian dictatorship have left the city of Havana—one of the most beautiful in the world—suspended in a peculiar state halfway between preservation and destruction. For myself, I found the absence of the most grating aspects of commercialism aesthetically pleasing: McDonald's restaurants (and their like) would ruin Havana as a townscape as comprehensively as time and neglect. And the comparative lack of traffic in Havana demonstrates how mixed a blessing the inexorable spread of the automobile has been for the quality of city life. Had Havana developed "normally," its narrow grid-pattern streets would by now be choking with traffic and pollution, a suffocating inferno like Guatemala City or San José, Costa Rica, where to breathe is to grow breathless, where noise makes the ears sing, and where thoughts turn to escape as soon as possible.

The streets of Havana, not like that at all, are pleasant to walk in. The air is clean, and there is no honking of horns. You can hear yourself think and talk. Most of the few cars that pass are American relics of the Batista era, battered but much restored; they rattle and wheeze like beasts of burden driven forward under duress. Some seem to progress crabwise, not straight ahead but sideways; and with the patina of time, these vehicles, which once would have seemed the commonplace, throwaway mass products of an industrialized society, have taken on an aura of romance, almost of personality. They are loved and treasured as

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NAJLAH FEANNY/CORBIS SABA

irreplaceable old friends, and when you look at them you wonder how many of the objects that you take so much for granted might one day be regarded in like fashion. It helps you to see the world anew.

Few new buildings have been added to Havana, which is just as well, of course, since those few are in the style of totalitarian modernism, and ruin the neighborhood. In the very center of the city, moreover, which UNESCO has declared to be part of humanity's patrimony, tasteful restoration work is under way. In the Plaza Vieja, a grand colonial building has been transformed into luxury apartments for tourists to rent, with an excellent restaurant downstairs (the very idea of an excellent restaurant in Cuba was unthinkable 12 years ago). The bourgeoisie is thus a little like nature: though you pitch it out with a revolution, yet it will in the end return.

But the scale of the restoration of Havana is as nothing compared with the scale of its ruination. It is quite literally crumbling away. One of the most magnificent of its many magnificent streets is known as the Prado, a wide avenue that leads to the sea, with a central tree-lined marble walkway down which people stroll at night in the balmy air. Some of the beautifully proportioned mansions along the Prado have collapsed into rubble since the last time I was there; others have their facades—all that remains of them—propped up by wooden struts. The palace along the Prado that houses the national school of ballet is a mere shell, the ground floor containing nothing but rubble: it is extraordinary to hear the sound of *répétiteurs* emerging from the upper floor of this shell. Havana is like Beirut, without having gone through the civil war to achieve the destruction.

No words can do justice to the architectural genius of Havana, a genius that extended from the Renaissance classicism of the sixteenth century, with severe but perfectly proportioned houses

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BOB STRONG/SIPA PRESS

containing colonnaded courtyards cooled and softened by tropical trees and shrubs, to the flamboyant art deco of the 1930s and 40s. The Cubans of successive centuries created a harmonious architectural whole almost without equal in the world. There is hardly a building that is wrong, a detail that is superfluous or tasteless. The tiled multicoloration of the Bacardi building, for example, which might be garish elsewhere, is perfectly adapted—natural, one might say—to the Cuban light, climate, and temper. Cuban architects understood the need for air and shade in a climate such as Cuba's, and they proportioned buildings and rooms accordingly. They created an urban environment that, with its arcades, columns, verandas, and balconies, was elegant, sophisticated, convenient, and joyful.

Of course, not every Cuban shared it: there were large shantytowns outside the city, and in the countryside much of the peasantry lived in grinding poverty. In 1958, Cuba might have had Italy's overall levels of consumption per capita, more or less, but the consumption was unevenly distributed. Yet what is so striking about Havana's grandeur and beauty is how extensive it is, and how wealthy (as well as sophisticated) the society that produced it must have been. The splendor of Havana, rather than being confined to a small quarter of the city, extends for miles.

The splendor is very faded now, of course. The city is like a great set of Bach variations on the theme of urban decay. The stucco has given way to mold; roofs have gone, replaced by corrugated iron; shutters have crumbled into sawdust; paint is a phenomenon of the past; staircases end in precipices; windows lack glass; doors are off their hinges; interior walls have collapsed; wooden props support, though not with any degree of assurance, all kinds of structures; ancient electrical wiring emerges from walls, like worms from cheese; wrought ironwork balconies crumble into rust; plaster peels as in a malignant skin disease; flagstones are mined for other purposes. Every grand and

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beautifully proportioned room—visible through the windows or in some places through the walls that have crumbled away—has been subdivided by plywood partitions into smaller spaces, in which entire families now live. Washing hangs from the windows of what were once palaces. Every entranceway is dark, and at night the electric lights glimmer rather than shine. No ruination is too great to render a building unfit for habitation: Havana is like a city that has been struck by an earthquake and its population forced to survive among the wreckage until relief arrives.

It cannot be said, however, that the inhabitants of Havana appear notably unhappy—far from it. The children play baseball cheerfully in the street with balls of compressed rags and bats of metal piping. (Curiously, the Latin American countries with the strongest anti-Yanqui political tradition are those where baseball is most enthusiastically played, as if the politics aimed to assuage the guilt at having taken up the pastime of the enemy.) There is plenty of social life in the streets, much smiling and laughter, and it isn't hard to find a small fiesta with music and dancing. When you look into the homes that the people have made among the ruins, there are the small, heartbreaking signs of pride and self-respect that one also sees in the huts of Africa: the carefully tended plastic flowers and other cheap ornaments, for example. A taste for kitsch among the well-to-do is a sign of spiritual impoverishment; but among the poor, it represents a striving for beauty, an aspiration without the likelihood of fulfillment. Only the old look downcast or crushed: old people's thoughts turn naturally to the past, and the contrast between the Havana of their youth and the Havana of their dotage must be painful to contemplate.

The evident contentment of the population among the ruins, though, does not lessen my profound sorrow (and worse than sorrow, it is something indefinable that weighs on the heart) to see the destruction of a masterpiece of collective human endeavor down the ages, Havana. On the contrary, I find the very unconcern profoundly disturbing. What can it mean that people should live contentedly in the ruins of their own capital city, the ruination having been wrought not by war or natural disaster but by prolonged (and in my view deliberate) neglect? They are not barbarians who actively smash or destroy what they do not understand and value; nor do they fail to notice—how could they?—that the buildings in which they live are on the verge of collapse. It is not difficult to get people to show you the ramshackle ruins they inhabit, a service they perform with a laugh and a smile; it is simply that to live thus has become natural for them, and the collapse of walls and staircases seems no more avoidable than the weather.

An artist to whom I spoke, who was tentatively trying to use his photographs to draw the attention of his countrymen to the decay and destruction of their architectural inheritance occurring all around them, explained the neglect of the city as a manifestation of the government's priorities. It had always been more concerned about education and the health service, he said, than with preservation of the fabric of Havana. Though he understood why the government should have considered the reduction of the infant-mortality rate to be more important than the care of mere material objects such as buildings, he himself had gradually come to see the importance of preserving that inheritance: once gone, it was irrecoverable. But in his opinion, most people were unconcerned by it.

Alas, I suspect that the neglect of Havana has a deeper and more sinister rationale than the one the artist proposed. It is not difficult to imagine Castro's angry response to the accusation that he has let Havana fall into ruins. He would argue that, largely because of the American embargo, he had always had to establish clear spending priorities, and that schools, hospitals, and medicines mattered more for the life of a people than the upkeep of a capital city in which only a minority of the population lived. Life itself was more important than objects: and Cuba's low infant-mortality rate and high life expectancy were justification of his policies.

But this answer would not, in my view, be entirely honest—

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even beyond the question of whether Cuba's progress in literacy and public health necessitated Castro's policies or justified the evident lack of freedoms enjoyed by Cubans. I suspect that the neglectful ruination of Havana has served a profoundly ideological purpose. After all, the neglect has been continuous for nearly half a century, while massive subsidies from the Soviet Union were pouring in. A dictator as absolute as Castro could have preserved Havana if he had so wished, and could easily have found an economic pretext for doing so.

Havana, however, was a material refutation of his entire historiography—of the historiography that has underpinned his policies and justified his dictatorship for 43 years. According to this account, Cuba was a poor agrarian society, impoverished by its dependent relationship with the United States, incapable without socialist revolution of solving its problems. A small exploitative class of intermediaries benefited enormously from the neocolonial relationship, but the masses were sunk in abject poverty and misery.

But Havana was a large city of astonishing grandeur and wealth, which was clearly not confined to a tiny minority, despite the coexistence with that wealth of deep poverty. Hundreds of thousands of people obviously had lived well in Havana, and it is not plausible that so many had done so merely by the exploitation of a relatively small rural population. They must themselves have been energetic, productive, and creative people. Their society must have been considerably more complex and sophisticated than Castro can admit without destroying the rationale of his own rule.

In the circumstances, therefore, it became ideologically essential that the material traces and even the very memory of that society should be destroyed. In official publications (and all publications in Cuba are official) the only positive personages from the past are rebels and revolutionaries, representing a continuing nationalist tradition of which Castro is the apotheosis: there is no god but revolution, and Castro is its prophet. The period between Cuban independence and the advent of Castro is known as "the Pseudorepublic," and the corrupt thuggery of Batista, as well as the existence of poverty, is all that needs (or is allowed) to be known of life immediately before Castro.

But who created Havana, and where did the magnificence come from, if before Castro there were only poverty, corruption, and thuggery? Best to destroy the evidence, though not by the crude Taliban method of blowing up the statues of Buddha, which is inclined to arouse the opprobrium of the world: better to let huge numbers of people camp out permanently in stolen property and then let time and neglect do the rest. In a young population such as Cuba's, with little access to information not filtered through official channels, life among the ruins will come to seem normal and natural. The people will soon be radically disconnected from the past of the very walls they live among. And so the present ruins of Havana are the material consequence of a monomaniacal historiography put into practice.

Yet foreshortened memory can be made to serve an ideological turn, as has happened with the restoration of a small area of the city—a much-needed restoration, for inhabited ruins will not long attract mass tourism. And so a large and glossy book has appeared, recording by means of before-and-after photographs the Herculean efforts of the regime to restore some of the buildings of old Havana that had fallen practically into ruins. Entitled *Lest We Forget*, the book omits to mention how the ruination came about in the first place. The restoration is thus one triumph more for the revolution.

The terrible damage that Castro has done will long outlive him and his regime. Untold billions of capital will be needed to restore Havana; legal problems about ownership and rights of residence will be costly, bitter, and interminable; and the need to balance commercial, social, and aesthetic considerations in the reconstruction of Cuba will require the highest regulatory wisdom. In the meantime, Havana stands as a dreadful warning to the world—if one were any longer needed—against the dangers of monomaniacs who believe themselves to be in possession of a theory that explains everything, including the future. ■

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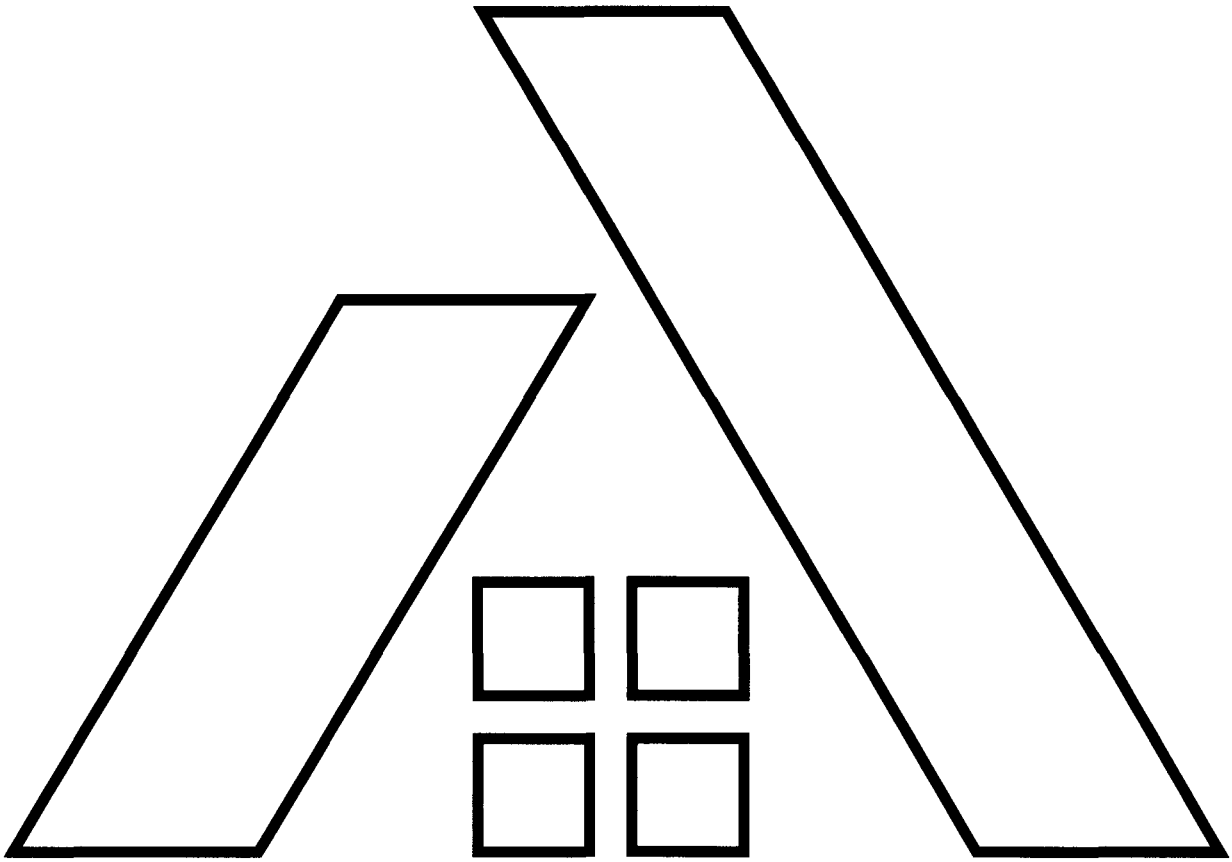

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America's Dumbest Intellectual

Stefan Kanfer

Walk onto the popular-music floor of Virgin Records in midtown Manhattan, and you encounter, as you'd expect, kids with shoulder tattoos and pierced body parts, wandering through rows of the latest hip-hop, alt-rock, and heavy-metal CDs as heavily amplified beats thunder. At the checkout counter, though, is a surprise. A single book is on display: perennial radical Noam Chomsky's latest anti-American screed, *9/11*—an impulse item for the in-your-face slackers of the Third Millennium. Strictly speaking, *9/11* is a non-book, a hastily assembled collection of fawning interviews with Chomsky conducted after the terrorist attack on New York City and the country, in which the author pins the blame for the atrocities on—you guessed it—the U.S. But you'd be wrong to dismiss *9/11* as an inconsequential paperback quickie. More than 115,000 copies of the book are now in print. It has shown up on the *Boston Globe* and the *Washington Post* best-seller lists, and in Canada, it has rocketed to seventh on the best-seller list. And as its prominent display at Virgin Records attests, *9/11* is particularly popular with younger readers; the book is a hot item at campus bookstores nationwide. The striking success of *9/11* makes Chomsky's America-bashing notable, or at least notably deplorable—especially here in New York, which lost so many of its bravest on that horrible day.

Chomsky's title for his new book may have a little to do with its best-seller status: some people may have picked it up assuming it to be a newsworthy account of September 11. But undoubtedly, the main reason *9/11* is selling so briskly is because of its author's fame. According to the *Chicago Tribune*, Noam Chomsky is cited more than any other living author—and he shows up eighth on the all-time most-cited list, the paper says, right after Sigmund Freud. Do a search for "Noam Chomsky" on Amazon.com and up pops an astonishing 224 books. The *New York Times* calls him "arguably the most important intellectual alive." He's even been the subject of an adoring 1993 movie-length documentary film. Chomsky has achieved rock-star status among the young and hip. Rock groups like Bad Religion and Pearl Jam proudly quote his writings in interviews and in their music. To the self-styled bohemian coffee-house crowd, observes *Wired* magazine, "Chomsky is somewhere between Kerouac and Nietzsche—carrying around one of his books is automatic countercultural cachet."

Chomsky, now a 73-year-old grandfather living in suburban Massachusetts, has worked for decades to win that cachet. Avram Noam was born in Philadelphia in 1928. His parents, William and Elsie Chomsky, had fled from czarist oppression in Russia to the City of Brotherly Love, where William established himself as a Hebrew scholar and grammarian. Radical politics aroused the young Noam—at ten, he wrote a school newspaper editorial on the Spanish Civil War, lamenting the rise of fascism, and two years later he embraced the anarchism that he still adheres to today. By the age of 16, the bright, ambitious youth had enrolled at the University of Pennsylvania, where he eventually earned a Ph.D. in linguistics. Passed over for a teaching position at Harvard, he landed in 1955 at the Massachusetts Institute of Technology, where he has remained ever since.

Most linguistics professors would have toiled in obscurity in a science-and-industry school like MIT. Not Chomsky. In the 1950s, he brashly challenged psychologist B. F. Skinner's theory of language as a learned skill, acquired by children in a process of reward and punishment. Chomsky claimed instead that when we learn a language as children, we can articulate and understand all sorts of sentences that we've never actually come across before. "What we 'know,' therefore," Chomsky held, "must be something deeper—a grammar—that makes an infinite variety of sentences possible." In Chomsky's view, the capacity to master the structures of grammar is genetically determined, a product of our evolutionary development. This idea—that grammar is hard-wired in the labyrinth of DNA—shook the walls of linguistics departments across the globe. Chomsky promoted his theory tirelessly, defending it in countless symposia and scholarly reviews. By the mid-sixties, he was an academic superstar; in the seventies, researchers at Columbia

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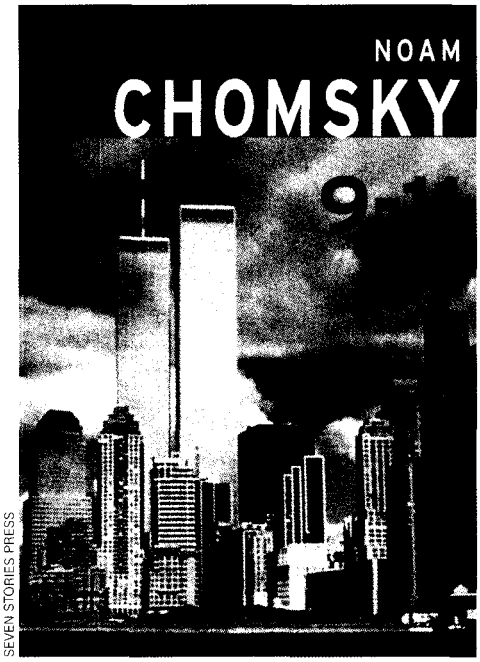
University even named a chimpanzee trained to learn 125 words "Nim Chimpsky" in his honor.

With this fame as a base, the professor proceeded to wander far from his area of expertise. Such uses of fame, ironically, are common in the country Chomsky attacks so relentlessly. In America, you come across two kinds of fame: vertical and horizontal. The vertical celebrity owes his renown to one thing—Luciano Pavarotti, for example, is famous for his singing, period. The horizontal celebrity, conversely, merchandises his fame by convincing the public that his mastery of one field is transferable to another. Thus singers Barbra Streisand and Bono give speeches on public policy; thus linguistics professor Chomsky poses as an expert on geopolitics.



Bible of the alt-rock Left

Chomsky first employed his horizontal celebrity during the 1960s, when he spoke out forcefully against the Vietnam War. His 1969 collection of agitated writings, *American Power and the New Mandarins,* indicted the nation's brainwashed "elites"—read: government bureaucrats and intellectuals who disagreed with him on the morality of the war. But Vietnam was only the beginning: over the next three decades, Chomsky published a steady stream of political books and pamphlets boasting titles like *What Uncle Sam Really Wants* and *Necessary Illusions: Thought Control in Democratic Societies*—all of them filled with heated attacks on American policies, domestic and foreign.

Those attacks would be laughable if some people didn't take them seriously. Here's a small but representative sample. The goal of America, Chomsky charges, "is a society in which the basic unit is you and your television set. If the kid next door is hungry, it's not your problem. If the retired couple next door invested their assets badly and are now starving, that's not your problem either." Prisons and inner-city schools, Chomsky maintains, "target a kind of superfluous population that there's no point in educating because there's nothing for them to do. Because we're a civilized people, we put them in prison, rather than sending death squads out to murder them." Another example: "When you come back from the Third World to the West—the U.S. in particular—you are struck by the narrowing of thought and understanding, the limited nature of legitimate discussion, the separation of people from each other."

Goodness. But if America is all about ignoring hungry children, why does the country spend billions in public and private funds every year on the poor? Does America deliberately seek to miseducate and send to prison a "superfluous" population? Wouldn't today's knowledge-based economy benefit from as many decently educated people as it could find? What Third World countries does Chomsky have in mind where the discussion is more freewheeling and open than in the U.S.? Algeria? Cuba? Such puerile leftism is scarcely worthy of a college sophomore.

If possible, however, Chomsky's assessment of U.S. foreign policy is even more absurd. The nightmare of American evil began in 1812, he thinks, when the U.S. instigated a process that "annihilated the indigenous [American] population (millions of people), conquered half of Mexico, intervened violently in the surrounding region, conquered Hawaii and the Philippines (killing hundreds of thousands of Filipinos), and in the past half century particularly, extended its resort to force throughout much of the world." That the U.S. saved the Philippines during World War II, that Hawaiians voted to become the

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fiftieth state, that every day Mexicans pour across the border to take part in the economy of the hated United States—all of that is irrelevant to Chomsky. He believes in the Beaumarchais mode of political debate: "Vilify, vilify, some of it will always stick."

For Chomsky, turn over any monster anywhere and look at the underside. Each is clearly marked: MADE IN AMERICA. The cold war? All America's fault: "The United States was picking up where the Nazis had left off." Castro's executions and prisons filled with dissenters? Irrelevant, for "Cuba has probably been the target of more international terrorism [from the U.S., of course] than any other country." The Khmer Rouge? Back in 1977, Chomsky dismissed accounts of the Cambodian genocide as "tales of Communist atrocities" based on "unreliable" accounts. At most, the executions "numbered in the thousands" and were "aggravated by the threat of starvation resulting from American distraction and killing." In fact, some 2 million perished on the killing fields of Cambodia because of genocidal war against the urban bourgeoisie and the educated, in which wearing a pair of glasses could mean a death sentence.

DOUGLAS ENGLE/AP WIDE WORLD PHOTOS

Noam Chomsky: Pied Piper of anti-Americanism

The Chomskian rage hasn't confined itself to his native land. He has long nourished a special contempt for Israel, lone outpost of Western ideals in the Middle East. The hatred has been so intense that Zionists have called him a self-hating Jew. This is an unfair label. Clearly, Chomsky has no deficit in the self-love department, and his ability to stir up antagonism makes him even more pleased with himself. No doubt that was why he wrote the introduction to a book by French Holocaust-denier Robert Faurisson. *Memoire en Defense* maintains that Hitler's death camps and gas chambers, even Anne Frank's diary, are fictions, created to serve the cause of American Zionists. That was too much for Harvard law professor Alan Dershowitz, who challenged fellow leftist Chomsky to a debate. In the debate, Dershowitz keyed in on the fact that Chomsky had described Faurisson's conclusions as "findings," and claimed that they grew out of "extensive historical research." But as numerous scholars had shown, Faurisson was not a serious scholar at all, but rather a sophist who simply ignored the mountain of documents, speeches, testimony, and other historical evidence that conflicted with his "argument." Dershowitz noted that Chomsky also wrote the following: "I see no anti-Semitic implication in the denial of the existence of gas chambers or even in the denial of the Holocaust."

Just recently, Chomsky spearheaded a group pressuring universities to divest themselves of any stock connected with the Jewish state: Israel equals South Africa in the Chomskian universe of moral equivalence. Here, happily, Chomsky got nowhere. He obtained 400 signatures for his movement; opposing him, Lawrence Summers, president of Harvard, gathered 4,000 signatures in support of Israel. The controversy set Dershowitz off again. This time, he said, he wanted the MIT prof to debate him "on the morality of this selective attack against an American ally that is defending itself—and the world—against terrorism that targets civilians." He pointed out that universities have always invested in companies headquartered in foreign nations with unsavory reputations—countries whose citizens don't have the freedom the Israelis enjoy or suffer the terror they endure. "Yet this petition focused only on the Jewish State, to the exclusion of all others, including those which,

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by any reasonable standard, are among the worst violators of human rights. This is bigotry pure and simple." Chomsky declined the challenge.

That brings us to *9/11*, an egregious insult to decency in general and to the citizens of New York in particular. True to form, in one of the interviews, Chomsky calls the United States "a leading terrorist state" and equates President Clinton's 1998 bombing of the Al-Shifa plant in Sudan with the horrors of September 11. In every way, Chomsky's comparison is obscene. The bombing was in response to attacks on two U.S. embassies that had resulted in the deaths and injuries of thousands. The U.S. made sure it took place at night, when the target was empty of civilians. U.S. intelligence, mistaken though it may have been, indicated that the pharmaceutical factory was producing weapons of mass destruction. The unprovoked attack on the World Trade Center, needless to say to anyone except Chomsky and his disciples, occurred in broad daylight, with the intention of inflicting maximum damage and death on innocents.

Chomsky concedes that the WTC attack was unfortunate—not so much because of the deaths of Americans, but because "the atrocities of September 11 were a devastating blow to the Palestinians, as they instantly recognized." (Some other group, disguised as Palestinians, must have been dancing in the streets that day.) Israel, he adds, "is openly exulting in the 'window of opportunity' it now has to crush Palestinians with impunity."

On the rare occasions in *9/11* when Chomsky expresses condolences for the victims of the terrorist attack, he immediately goes on to excoriate the U.S. "The atrocities were passionately deplored, even in places where people have been ground underfoot by Washington's boots for a long, long time," he typically says. Chomsky rolls on in this manner. The West is the Great Satan, the Third World its eternal victim. The World Trade Towers were a symbol of America's gluttony and power. In effect, we were asking for it and are now unjustly using it as a *casus belli*. More U.S. oppression is about to take place all over the globe. If you didn't know better, you could be reading one of bin Ladin's diatribes. Chomsky's response to September 11 outraged even leftist Christopher Hitchens, a former admirer of the MIT professor who now attacked him for abandoning "every standard that makes moral and intellectual discrimination possible."

Does anyone believe these inanities? It would be tempting to say that the author only preaches to the choir. But there's more to Chomsky's success than that. True, Chomsky is like the Bog Man of Grauballe, Denmark, preserved unchanged for centuries. Since the early 1960s, no new ideas have made it into his oeuvre. He is as he was, and his rage against democracy as practiced in the U.S. is of a piece with the raised fists of the Chicago Seven and the ancient bumper stickers condemning "Amerika." But his message still seems to resonate with a sizable faction of the Boomers, trained to respond to emotion rather than reason. These are the people who sympathized with Susan Sontag's notorious post–September 11 observation: "Where is the acknowledgment that this was not a 'cowardly' attack on 'civilization' or 'liberty' or 'humanity' or 'the free world' but an attack on the world's self-proclaimed superpower, undertaken as a consequence of specific American alliances and actions?" These are the folks who applauded Bill Clinton's fatuous *mea culpa* appraisal of the WTC attack: "This country once looked the other way when a significant number of native Americans were dispossessed and killed to get their land or their mineral rights or because they were thought of as less than fully human. . . . [W]e are still paying a price today."

And now a younger crowd is following the Pied Piper of anti-Americanism. *9/11* makes it easy for them. They needn't read it; they just have to make sure the thing is sticking out of their backpacks or sitting on their milk-crate coffee tables, a symbol of mass-market rebellion pushed at the record stores for $10.95—less than the new Eminem CD! Call it *Anti-Americanism for Dummies*. It would be more than a pity if the lies of *9/11* seduced more innocents; it would be a clear and present danger. We are at war now, and two generations of Chimpskies are enough.

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Oh, to

ngland

The Rage of Virginia Woolf

Theodore Dalrymple

In 1938, the year my mother left Germany for good and never saw her parents again, Virginia Woolf published a book entitled *Three Guineas*. It was about how women could prevent war.

Virginia Woolf's name is not normally associated with great affairs of state, of course. Quite the reverse. She regarded them with a fastidious disgust, as a vulgar distraction from the true business of life: attendance to the finer nuances of one's own emotional state. Along with the other members of the Bloomsbury group—that influential and endlessly chronicled little band of British aesthetes of which she was a moving spirit—she was dedicated to the proposition that beings as sensitive as they to the music of life ought not to be bound by gross social conventions, and that it was their duty (as well as their pleasure) to act solely upon the promptings of the sympathetic vibrations of their souls. In a demotic age, however, their justification for personal license could not long be confined to socially superior types such as themselves. Before very long, what was permissible for the elite became mandatory for *hoi polloi*; and when the predictable social disaster occurred, in the form of a growing underclass devoid of moral bearings, the elite that had absorbed (indeed, reveled in) Bloomsbury's influence took the growth of the underclass as evidence that their original grudge against society and its conventions had been justified all along. The philosophy brought about the disaster, and the disaster justified the philosophy.

The *Cambridge Guide to English Literature* describes *Three Guineas* as an established classic—but a classic of what genre exactly? Of political philosophy? Contemporary history? Sociological analysis? No: it is a *locus classicus* of self-pity and victimhood as a genre in itself. In this, it was certainly ahead of its time, and it deserves to be on the syllabus of every department of women's studies at every third-rate establishment of higher education. Never were the personal and the political worse confounded.

The book is important because it is a naked statement of the worldview that is unstated and implicit in all of Virginia Woolf's novels, most of which have achieved an iconic status in the republic of letters and in the humanities departments of the English-speaking world, where they have influenced countless young people. The book, therefore, is truly a seminal text. In *Three Guineas*, Virginia Woolf lets us know without disguise what she really thinks: and what she thinks is by turns grandiose and trivial, resentful and fatuous. The book might be better titled: *How to Be Privileged and Yet Feel Extremely Aggrieved.*

The guineas of the title refer to a unit of currency: a pound and a shilling. Even in Woolf's day, no guinea coin or guinea banknote actually existed. It was purely a notional unit, used for transactions of superior social status, such as the purchase of art at auction, the payment of surgeons, or, as in this book, the giving of charitable contributions. Virginia Woolf writes of three requests made of her for donations of one guinea each: the first by an eminent lawyer for his society for the protection of intellectual freedom and the promotion of peace; the second by the head of a Cambridge University women's college to help rebuild and enlarge the college; and the third by the treasurer of a society for the aid of professional women, to enable them to buy the evening clothes necessary to their status in life.

Three Guineas tries to show how the threat of war is linked to the condition of women. War throughout the ages, Mrs. Woolf says, has been a male activity, and during those same ages men have suppressed women: ergo, if men cease to suppress women and treat them as equals, there will be no war. One might think that to descend from the aesthetic to the ideological plane would be distasteful for a woman of such languorous, highly strung, thoroughbred equine beauty as she; but under the influence of a general idea, Mrs. Woolf revealed herself to be a thoroughgoing philistine of the most revolutionary and destructive type, quite prepared to bring the temple crashing down about her ears, that her grudges might be paid back. Let my ego be satisfied, though civilization fall!

Virginia Woolf, 1882–1941

THE GRANGER COLLECTION (7)

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Oh, to be in England

My copy of the book is a slightly battered first edition that was once in the library of Michel Leiris, the French writer and anthropologist who knew all the best-worst (or worst-best) people, such as Sartre and de Beauvoir. Leiris's annotations consist only of a list of three pages of special impact to him, written in the elegant hand of a bygone era, and small crosses on the top outside corners of the pages themselves—pages 62, 63, and 64.

And what do pages 62, 63, and 64 say? On the preceding page, page 61, Mrs. Woolf begins her discursive reply to a request for a contribution for the rebuilding and extension of a Cambridge women's college. Where education is concerned, Mrs. Woolf certainly does not want more of the same—the granting of the same opportunities to more women—having previously argued that all the education prior to the Great War did not prevent that cataclysm from happening but on the contrary actually provoked it by fostering a spirit of competition among those who underwent it. "Let us," she writes, " . . . discuss as quickly as we can the sort of education that is needed." Since the past has been nothing but a catalog of vice, folly, cruelty, and the suppression of women, the college of her dreams "must be an experimental college, an adventurous college. Let it be built on lines of its own."

And what might these lines be? "It must be built not of carved stone and stained glass, but of some cheap, easily combustible material which does not hoard dust and perpetrate traditions." This is surely an odd architectural position for an aesthete to take: a position whose baleful practical consequences are, alas, visible throughout the whole island of Great Britain, where hardly a townscape has escaped being ruined by it. The avoidance of dust (and therefore presumably of housework or other oppressive forms of maintenance) is elevated to the pantheon of life's highest goals: and Mrs. Woolf's use of the word "perpetrate" in connection with "traditions" is indicative of her revolutionary state of mind, since "perpetrate" generally takes as its object a heinous crime or a massacre or some other disaster. For Mrs. Woolf, tradition in general, not any particular tradition, is what needs to be eliminated.

Her husband, Leonard Woolf

What furnishings should the college of Mrs. Woolf's dreams contain? Certainly not a repository of the best that has been said and thought. "Do not have museums and libraries with chained books and first editions under glass cases," she advises. No: "Let the pictures and the books be new and always changing. Let it be decorated afresh by each generation with their own hands cheaply." (By now we have passed on to the pages bearing Michel Leiris's marks.) What is this but a manifesto for Cool Britannia *avant la lettre*, an expression of the shallow belief that the new is better than the old merely by virtue of its novelty?

And what, most importantly, would be taught in Mrs. Woolf's college of dreams? "Not the arts of dominating other people; not the arts of ruling, of killing, of acquiring land and capital." (Let us remind ourselves that she is talking of the university of Milton, Wordsworth, and Wittgenstein.) "The . . . college should teach only the arts that can be taught cheaply and practised by poor people; such as medicine, mathematics, music, painting and literature." The superior virtue of poverty and the poor is assumed; and Mrs. Woolf obviously conceives of medicine as a kind of Gandhian cottage

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industry (though she personally always availed herself of the best specialists available), carried out by bucolics and wise-women, gathering herbs by moonlight and operating, if at all, on kitchen tables. She continues: The college "should teach the arts of human intercourse; the art of understanding other people's lives and minds, and the little arts of talk, of dress, of cookery that are allied with them." Not being a systematic thinker, to put it kindly, Mrs. Woolf here fails to realize that she is proposing to enclose women in precisely the little domestic world from which she also claims to be rescuing them.

Mrs. Woolf's ideal college—the kind that would prevent rather than promote wars—would not be in any way elitist. It would "not [be] parcelled out into the miserable distinctions of rich and poor, of clever and stupid." It would, rather, be a place "where all the different degrees and kinds of mind, body and soul met and co-operated." It would be entirely nonjudgmental, even as to intellect. For her, the urge to compete does not inhere in man's nature, nor does it result in anything other than violent strife. Henceforth, there is to be no testing oneself against the best, with the possibility, even the likelihood, of failure: instead, one is perpetually to immerse oneself in the tepid bath of self-esteem, mutual congratulation, and benevolence toward all.

Of course, it is a mistake to suppose that a hypothetical future state of perfect toleration means toleration in or of the present: far from it. Mrs. Woolf would not let her opponents, or those who think differently, live in peace: on the page after the last marked by Michel Leiris, she gives full expression to her slash-and-burn concept of cultural renewal: "No guinea of earned money should go to rebuilding the college on the old plan. . . . [T]herefore the guinea should be

Her sister, Vanessa Bell

earmarked 'Rags. Petrol. Matches.' And this note should be attached to it. 'Take this guinea and with it burn the college to the ground. Set fire to the old hypocrisies. Let the light of the burning building scare the nightingales and incarnadine the willows. And let the daughters of educated men dance round the fire and heap armful upon armful of dead leaves upon the flames. And let their mothers lean from the upper windows [before, presumably, being burned to death] and cry "Let it blaze! Let it blaze! For we have done with this education!" ' "

This incendiary passage, Mrs. Woolf insists in her very next sentence, is not mere empty rhetoric: though she subsequently retreats a little from her incitement to arson by pointing out the self-defeating nature of that crime, insofar as the college she was proposing to burn down was necessary to train women to be able to earn the guinea of discretionary income with which to buy the materials to burn it down in the first place. What a dilemma! The passion, if not the logic, of her argument is clear and perhaps casts a new light on the deliberate destructiveness of the motives that lay behind her literary innovations. She was nothing if not a great hater of all that had gone before her.

What was the wellspring of this great hatred? No doubt some would say it was the sexual abuse that she was alleged to have suffered as a child at the hands of her two half-brothers, George and Gerald Duckworth: but the extent and gravity of that abuse is open to question and would in any case hardly explain (let alone justify) the desire of a famous and successful 56-year-old novelist to destroy civilization in the name of preventing war. And if by any chance it *were* the explanation, it would certainly not redound to her credit: for the conclusion that an entire civilization needed to be destroyed because it permitted her sexual

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abuse is no better than the conclusion that the existence of *any* injustice demonstrates that all efforts to achieve justice are a sham. A self-pitying lack of proportion, far from alien to Mrs. Woolf, was in fact the very signature of her mind.

Mrs. Woolf belonged by birth not merely to the upper middle classes but to the elite of the intellectual elite. She was a Stephen, her father, Sir Leslie Stephen, being an eminent essayist, editor, and critic, the founding editor of the monumental and magnificent *Dictionary of National Biography* and at one time the publisher of Thomas Hardy. He knew everyone who was anyone in the literary and intellectual world. Mrs. Woolf's uncle, Sir James Fitzjames Stephen, was an eminent legal scholar and historian, jurist, judge, and political philosopher, who wrote a brilliant and still-classical riposte to John Stuart Mill's essay on liberty. She grew up in a rarefied intellectual atmosphere in which it would clearly be difficult to equal, let alone surpass, the achievements of her elders. One way to surpass her father and her uncle in achievement was, of course, to disparage and destroy all they had erected.

Her historiography was very modern: she scoured the records to justify the backward projection of her current resentments. For her, there was no such thing as the human condition, with its inevitable discontent and limitations. She thought that all the things she desired were reconcilable, so that freedom and security, for example, or artistic effort and complete selflessness, might abide in perpetual harmony. As a female member of the British upper middle class and one of what she called "the daughters of educated men," she felt both socially superior to the rest of the world and peculiarly, indeed uniquely, put upon. The very locution, "the daughters of educated men," is an odd one, capturing her oscillation between grandiosity and self-pity: she meant by it that class of women who, by virtue of their gentle birth and hereditarily superior minds, could not be expected to perform physical labor of any kind, but who were prevented by the injustice of "the system" from participating fully in public and intellectual affairs.

Her brother-in-law, Clive Bell

In her descriptions of this class, self-pity vies with snobbery. Her reply to the philanthropist who requested a donation to buy evening clothes for professional women vibrates with outrage that the daughters of educated men should find themselves in financial difficulties (which, in her view, should properly belong only to social inferiors). "Not only are we incomparably weaker than the men of our own class," she writes to the eminent lawyer; "we are weaker than the women of the working class." "Economically, the educated man's daughter is much on a level with the farm labourer." "Society has been so kind to you [the educated men, one of whom is her interlocutor], so harsh to us [the daughters of educated men, of whom she is one]: it is an ill-fitting form that distorts the truth; deforms the mind; fetters the will." It must therefore be destroyed—presumably by those whose will has been fettered and whose minds have been deformed.

For those who actually know anything about the hardships endured by the British working class, male and female, during the years of the Depression, statements that insinuate an equality, or even a superiority, of suffering on the part of the daughters of educated men are little short of nauseating: but they would clearly appeal to the

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pampered resentful, a class that was to grow exponentially in the postwar years of sustained prosperity.

According to Mrs. Woolf, women of her own class were so dependent upon men that for centuries they were incapable of having, much less expressing, opinions of their own. For her, "independent opinion" was indispensably based upon independent income, though later in the book she lays down criteria for the independence of income that are so stringent and rarefied that only heiresses could meet them. Poor struggling Mrs. Oliphant, for example, the Victorian novelist and biographer, came nowhere near meeting them, because she was obliged to earn money herself for the upkeep of her children. (Mrs. Woolf suggested as a solution that the daughters of educated women should be paid a government subsidy, so that they might create works of art—or do nothing at all—free of all sordid monetary conditions.) Her desire to have it all ways at once—to be utterly independent because unconditionally supported by the taxpayers—illustrates her kind of querulous and irresponsible sense of entitlement.

Her sole conclusion from the entire literature of the nineteenth century is that women were constantly ridiculed for "attempting to enter their solitary profession," marriage—as if that vast and magisterial literature accorded women no other role in life; as if it depicted relations between men and women as being nothing but domination and subordination. So grotesque is this as a reading of, say, Jane Austen that it amounts to an outright lie. And is Mrs. Micawber an object of contempt or of affection, even admiration?

Other Bloomsbury group members included novelist E. M. Forster . . .

As for the fabled influence of women on men, Mrs. Woolf will have none of it. She writes that it is so "beneath our contempt" that "many of us would prefer to call ourselves prostitutes simply and to take our stand openly under the lamps of Piccadilly Circus rather than use it." I confess that I find the idea of Mrs. Woolf as a streetwalker under the lamps of Piccadilly Circus irresistibly funny: but could there be a clearer case of the triumph of hyperbolic self-pity over honesty?

No interpretation of events, trends, or feelings is too silly or contradictory for Mrs. Woolf if it helps to fan her resentment. Explaining the evident enthusiasm of the daughters of educated men at the outbreak of the Great War, she writes, "So profound was [their] unconscious loathing for the education of the private house with its cruelty, its poverty, its hypocrisy, its inanity that [they] would undertake any task however menial [such as working in factories and hospitals], exercise any function however fatal that enabled [them] to escape. . . . [U]nconsciously [they] desired our splendid war." That they might have been actuated by the same patriotism as the men who volunteered for the slaughter was for her an impossibility, for she denies that the daughters of educated men were truly English: like the proletarians of Marx's imagination, they have no country. "The law of England," she writes, "denies us, and let us hope it will long continue to deny us, the full stigma of nationality." As ever wanting it both ways, she complains at one moment of exclusion and at the next, that inclusion is not worthwhile. She is like a humorless

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version of Groucho Marx, who did not want to be a member of any club that would accept him. What is a joke for Groucho Marx is serious political philosophy for Virginia Woolf.

She explains the falling birthrate among the daughters of educated men by their refusal any longer to provide cannon fodder for wars: thus ignoring the fact that the decline in fertility had been long and continuous, affecting all classes of society—even in Sweden, which had not had a war since Napoleonic times.

Not that one could entirely blame Mrs. Woolf for her lack of dialectical rigor, for, as she writes, "The daughters of educated men have always done their thinking from hand to mouth. . . . They have thought while they stirred the pot, while they rocked the cradle." This piece of self-pity drew the memorable riposte from the literary critic Q. D. Leavis, herself no unqualified admirer of the common man, that Mrs. Woolf wouldn't know which end of the cradle to stir.

. . . biographer Lytton Strachey . . .

Resentment playing so large a part in Mrs. Woolf's mental economy, much of her intellectual effort went into justifying it. She is thus a very modern figure indeed, even though she died 60 years ago. Her lack of recognition that anything had ever been achieved or created before her advent that was worthy of protection and preservation is all but absolute, along with her egotism. How, she asks, can we, the daughters of educated men, enter the professions and yet remain civilized human beings?—a question that implies that such professionals as Lister, Lord Birkenhead, or Marconi, working during Mrs. Woolf's lifetime, were neither civilized themselves nor contributed anything to civilization. By so contemptuously denying the achievements of the past, bought at so great a cost of thought and effort, she totally misunderstood the material and intellectual conditions that made possible her own life, with its languorous contemplation of the exquisite.

The only occasion in the book when Mrs. Woolf implicitly recognizes past achievement, she does so not to praise it but to denigrate the lack of it among her fellow countrymen. Suppose an outsider (as she far from truthfully calls herself) feels the temptation to patriotism: "Then she will compare English painting with French painting; English music with G erman music; English literature with Greek literature. . . . When all these comparisons have been faithfully made by the use of reason, the outsider will find herself in possession of very good reasons for her indifference." There is nothing here of Shakespeare or Newton, of Wren or Turner—an omission extraordinary in the daughter of the first editor of the *Dictionary of National Biography*. And it is extraordinary to believe that patriotism is justified only by supremacy in all the arts and sciences simultaneously—a doctrine that would be exceedingly hard on, say, a Norwegian or a Bolivian patriot.

Patriotism is for Mrs. Woolf only one of the many "unreal loyalties" against which she rails. Loyalty to school, to university, to church, to club, to family, to traditions or structures of any kind—even municipal pride—are to her the equivalent of Marx's false consciousness. The only clue that Mrs. Woolf offers as to what she considers real rather than unreal loyalties occurs in a brief discussion of the *Antigone* of Sophocles: "You want to know which

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are the unreal loyalties which we must despise, which are the real loyalties which we must honour? Consider Antigone's distinction between the laws and the Law. . . . Private judgement is still free in private; and that freedom is the essence of freedom." Louis XIV claimed only that he was the state: Mrs. Woolf claimed that she was the Law. For Mrs. Woolf, loyalty to herself was the only real, true loyalty.

It comes as no surprise that a thinker (or perhaps I should say a feeler) such as Mrs. Woolf, with her emotional and intellectual dishonesty, should collapse all relevant moral distinctions, a technique vital to all schools of resentment. Time and again we find her misappropriating the connotation of one thing and attaching it to another, by insinuating a false analogy: that since both the British policeman and the Nazi stormtrooper wore a uniform, the British policeman was a brute. It is one of the chief characteristics of modern rhetoric, designed not so much to find the truth as (in the words of former Australian prime minister Gough Whitlam) to "maintain your rage."

One would hardly guess from reading *Three Guineas* that it was written at a uniquely dangerous historical juncture, in the shadow of a barbaric threat. It would be unfair to blame Mrs. Woolf for lacking the prescience of the catastrophe to come that many other people lacked: though she had had the advantage of seeing the virulence of the Nazis first-hand when she toured Hitler's Germany with her Jewish husband, whom the Foreign Office had advised not to go, as his safety could not be assured. But all that the experience taught her was that English society—with its unfairness toward women, especially the daughters of the educated class—was proto-Nazi, if not worse. At least the Nazis had the courage of their brutality and were not hypocrites, like the English.

. . . and economist John Maynard Keynes.

Thus, when a man wrote to the newspaper to suggest that the employment of women was a cause of mass unemployment among men, and that the real place of women was in the home, Mrs. Woolf comments: "There we have in embryo the creature, Dictator as we call him when he is Italian or German, who believes he has the right, whether given by God, Nature, sex or race is immaterial, to dictate to other human beings how they live; what they shall do."

Comparing the letter writer's views on the subject with those of Hitler, she continues: "But where is the difference? Are they not both saying the same thing? Are they not both the voice of Dictators, whether they speak English or German, and are we not all agreed that the dictator when we meet him abroad is a very dangerous as well as a very ugly animal? And he is here among us, raising his ugly head, spitting his poison, small still, curled up like a caterpillar on a leaf, but in the heart of England. Is it not from this egg . . . to quote Mr Wells . . . that 'the practical obliteration of [our] freedom will spring?' And is not the woman who has to breathe that poison and to fight that insect, secretly and without arms, in her office, fighting the Fascist or the

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Nazi as surely as those who fight him with arms in the limelight of publicity?"

Her inability to distinguish metaphor from the literal truth is unremitting. Discussing the struggle for female emancipation, she says: "It is true that the combatants did not inflict flesh wounds; chivalry forbad; but you will agree that a battle that wastes time is as deadly as a battle that wastes blood."

As deadly? As *deadly*? It is small wonder that Mrs. Woolf finds it difficult to draw a distinction between the Church of England and the Nazi party. Citing a Church of England commission that recommended against the ordination of women, she writes: "The emphasis which both priests and dictators place upon the necessity for two worlds [the public for men and the domestic for women] is enough to prove that it is essential to their domination."

Over and over she lets her rage and resentment blind her. Discussing the need, in the name of peace and the avoidance of all competition between people, to eschew all ceremonial and public distinctions, she writes that right-minded people such as she "will dispense with personal distinctions—medals, ribbons, badges, hoods, gowns—not from any dislike of personal adornment, but because of the obvious effect of such distinctions to constrict, to stereotype and to destroy. Here, as so often, the example of the Fascist States is at hand to instruct us—for if we have no example of what we wish to be, we have, what is probably equally valuable, a daily and illuminating example of what we do not wish to be. With the example, then, that they give us of the power of medals, symbols, orders . . . to hypnotize the human mind, it must be our aim not to submit ourselves to such hypnotism." There is thus no real difference between a university degree convocation and a Nuremberg rally.

In reply to the lawyer who asks her for a contribution to promote peace, she writes: "The whole iniquity of dictatorship, whether in Oxford or Cambridge, in Whitehall or in Downing Street, against Jews or against women, in England or in Germany, in Italy or in Spain, is now apparent to you." In other words, there is no relevant difference between the defects of Britain and those of Germany, or between the Garrick Club (which still admits no women members) and Treblinka. Referring to the dictator Creon in Sophocles' *Antigone*, she writes, "And he shut [Antigone] not in Holloway [the women's prison to which suffragettes who broke the law were briefly sent] or in a concentration camp, but in a tomb." Holloway equals a concentration camp: Mrs. Woolf's signature mode of argument.

For Mrs. Woolf, the man in uniform is inherently evil, whether the uniform be that of the SS or the Great Western Railway, of the Gestapo or the Metropolitan Police. There is no difference; it all leads to the same calamity. Oddly enough, the one comparison that Mrs. Woolf does not make is that between the Nazis' book-burning and her own proposal to burn down colleges with libraries, replacing the old books with new ones. The Nazis, too, were all in favor of new books. Had they ever occupied Britain, she would have found common cause with them, since to her the culture and intellectual freedom that the eminent peace-loving lawyer wants her to protect are "rather abstract goddesses."

A person who believed that all the established institutions of her own country were tyrannical, as tyrannical as those of the worst tyrannies ever established in the history of the world, and who believed that all loyalty to country or to anything other than one's own inner freedom was false, that all uniforms were equally evil and therefore that there was nothing to choose between them, that war on all occasions was a manifestation of male psychopathology and the desire to dominate brought about by competitive education, and that therefore there could be no such thing as a just war, would have made a wonderful collaborator, ready with every sophistical excuse to hand. She was most unlikely to be a furious defender of her country against the foreign invader: Mrs. Woolf believed she had nothing to defend, her life as the daughter of an educated man being already so intolerable. When in 1936 a British Member of Parliament, Sir E. F. Fletcher, "urged the House of Commons to stand up to dictators," Mrs. Woolf saw not the desire to oppose radical evil but only "a desire for dominance," exactly analogous in her

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opinion (and here I can hardly refrain from pointing out that I am rendering the literal truth of what she wrote) to the demand of a husband, whose wife appeared in a Bristol court at the same time as Fletcher made his speech, applying for financial support after she left him because he had insisted that she address him as Sir and obey his every command without delay. It was not even Hitler, *nota bene*, who was analogous in Mrs. Woolf's mind to the domineering husband, but the man who proposed to stand up to Hitler.

There was no more intellectual freedom in Britain than in Nazi Germany, as far as Mrs. Woolf was concerned, because "Mrs. Oliphant sold her brain, her very admirable brain, prostituted her culture and enslaved her intellectual liberty in order that she might earn her living," and all writers were more or less in the same position. She protests and complains as a woman and as a writer, but above all as a human being, who has discovered with bitterness that being born privileged does not alter the conditions and limitations of human existence.

So what, in Mrs. Woolf's opinion, should women actually do if war with Germany came? Since it was evidently a matter of indifference if the Nazis won (every British male being already a virtual Nazi), the answer was obvious to Mrs. Woolf: they should do nothing.

"Their first duty . . . would be not to fight with arms. . . . Next they would refuse . . . to make munitions or nurse the wounded [because the prospect of being nursed if wounded would give men a perverse incentive to fight]. . . . [T]he next duty to which they would pledge themselves [would be] not to incite their brothers to fight, or to dissuade them, but to maintain an attitude of complete indifference." And she commended as wise and courageous the mayoress of the London suburb of Woolwich, who made a speech in December 1937, in which she said that she "would not even so much as darn a sock to help in a war."

Well, war came—as it happens, not so very long after Mrs. Woolf wrote her book and my mother arrived in England. Strangely enough, my mother, who was 17 at the time (about 40 years younger than Mrs. Woolf) and who had been denied an education in a far more forceful manner than anything to which Mrs. Woolf and the daughters of educated men had been subjected, was able despite her disadvantages to spot at once the morally relevant difference between Britain and her erstwhile homeland. Had Mrs. Woolf's views prevailed, of course, my mother's life would have been a short one. Failing to notice the brutal dictatorship under which the daughters of educated men lived, she became a fire-watcher by night during the Blitz and a mechanic constructing tank engines by day. She did not refuse to knit socks.

Once the war started and the bombs began to fall (destroying the Woolfs' London house), even Mrs. Woolf began to think that a Nazi victory might not be such a good thing. Even more astonishing, she began to see virtues in the very people whom previously she had only disdained. Writing to the composer Ethel Smyth in 1940, she said: "What I'm finding odd and agreeable and unwonted is the admiration this war creates—for every sort of person: chars, shopkeepers, even more remarkably, for politicians—Winston at least—and the tweed-wearing, sterling dull women here . . . with their grim good sense."

Eventually, Mrs. Woolf must have wondered from what deep source the virtues she noticed had arisen—or could they have been present all along and she had failed to notice them? Might the revelation by the war of the utter frivolity of her previous attitudinizing have contributed to her decision to commit suicide? If the good life is a matter of judgment, the war proved that all her adult life she had none. My mother, with her wrench by day and helmet by night, did more for civilization (a word that Mrs. Woolf enclosed in quotation marks in *Three Guineas*, as if did not really exist) than Mrs. Woolf had ever done, with her jeweled prose disguising her narcissistic rage.

Had Mrs. Woolf survived to our time, however, she would at least have had the satisfaction of observing that her cast of mind—shallow, dishonest, resentful, envious, snobbish, self-absorbed, trivial, philistine, and ultimately brutal—had triumphed among the elites of the Western world.

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Cops, Cars, and Criminality

To the editor:

I've been a Phoenix police officer for only five years, and from day one I have been labeled a racist. I wanted to thank Heather Mac Donald for her article "The Racial Profiling Myth Debunked" [Spring 2002] and her willingness to report that racial profiling of traffic offenders is not really happening. It isn't happening in violent and property offenses, either.

Besides the New Jersey Turnpike study Mac Donald cites, another resource is available to compare a given community's minority population with its percentage of minority criminal suspects: the 911/Computer Aided Dispatch (CAD) system. With every 911 call, the citizen advises of the suspect's race, sex, and approximate age. Citizens, who want crimes against their persons and property solved, describe their assailants as accurately as possible, without racial motivations. These reports are stored in the CAD systems for up to four years. A CAD audit would show why officers make contact with suspects of a certain race, sex, and age: that's whom they are told to contact by the citizens they serve.

Ron Bryant
Phoenix, AZ

To the editor:

Mac Donald makes a rookie error. The fact that blacks speed in excess proportion to their population rate does not exonerate the police for stopping them in equal proportion to their speeding violations. That fact merely "proves" that speeding laws are racist, as they have a disproportionate effect on blacks. The police, by not adjusting their enforcement to account for this impact, are also racist.

Don't laugh—that's how the game is played these days.

Andy Freeman
Via e-mail

To the editor:

I retired at the age of 45 from the Philadelphia Police Department in 1998 after 24 years. I quit because I was fed up with being viewed as guilty until proven innocent. Sure, there must be some racist officers. But to claim there is widespread racial profiling is not supported by evidence and only serves to place barriers between good public servants and the minority community. Thanks to Heather Mac Donald on behalf of all officers who are colorblind and take their oath of office seriously.

Kenneth Walkling
Philadelphia, PA

To the editor:

On March 28, 2002, I was heading west on Bellevue Highway between M-50 and Cochran Road in Eaton County, Michigan, traveling at approximately 59 mph behind a silver Plymouth, when I noticed an Eaton County sheriff's deputy coming to the corner of Bellevue and Gildart. The deputy was about to make a right, but after I passed, he turned left instead. After catching up to me, he paced my car and ran my plate. He then proceeded around me to run the plate of the car in front of me.

My girlfriend's brother lives at the corner of Bellevue and Cochran, and seeing his truck in the driveway, I stopped to see him. He wasn't home, so I left a note, got back into my car, and proceeded to work.

As I pulled up to the corner, I noticed the deputy heading south back down Bellevue. I turned right onto Cochran, heading north. Within minutes, he was in my rearview mirror.

At a stop sign, I came to a complete stop, used my turn signal, and turned right. After running the stop sign, the officer hit his lights and pulled me over. When the officer got to the window, I handed him my license, registration, and proof of insurance. I asked him why he stopped me. He didn't answer.

He then asked me a series of questions: "Who lives at the residence where you stopped?" My girlfriend's brother. "Who was that man you were following?" I don't know who he was, we were just going in the same direction. "Where are you going?" To work. "Where do you work?" On the other side of Olivet. "What do you do out there?" I work for a framer. We just started framing a house. "Where are you coming from?" Mason. I just took an entrance exam for the carpenters' school. "Why are you out here if you're working on the other side of Olivet?" It's the most direct route from Mason to Olivet.

He told me to hold on and he would be right back. A few minutes later he asked about an updated proof of insurance. I looked and later found it. He had told me not to worry about

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it, and asked, "Does the car have insurance?" I said yes, and that I just put the new slip in the car. "Who owns the vehicle?" My girlfriend's dad or brother—I couldn't remember which.

After sitting there for 45 minutes, his backup arrived. He placed me under arrest and took me to jail. I was later released on a $200 bond. I was not issued any ticket other than Driving with License Suspended.

I was driving on a public road. I stopped at a residence that I have every right to visit. I did nothing wrong to warrant being pulled over—I wasn't speeding or driving erratically. I was stopped unjustly, because I was an African American. This is Jim Crow revisited.

The officer's probable cause went out the window when he passed me. He had already ruled me out as a threat, and so I no longer had reason to elude him. I simply made a stop at a friend's house, and because he was not home, *that* meant I was doing something wrong or acting suspiciously. (I was later told that the deputy asked the owner of the house on Cochran if he knew a "black guy." He answered, "Yes, that's my sister's boyfriend." The deputy replied "Oh, then he wasn't lying.")

As an individual who has friends of many different races and nationalities, I am really disturbed by this situation. I pride myself on the way my family raised me—to accept each individual as an individual. For years, I have led myself to believe that race relations were getting better in the world. What a fool I was. As an African-American man, I am looked at harder by police, and driving a car almost instantly gives them probable cause to stop and search me.

That deputy violated my civil rights, demeaned my character, and has done serious damage to my dignity. You cannot put a price on an individual's dignity. The county is just as liable in this case as the sheriff's department, and I plan to hold them as such. I feel this is a small price to pay for violating a person's civil rights. *Luther W. Brown, Jr.*
Via e-mail

MARIO TAMA / GETTY IMAGES

Heather Mac Donald responds:

If the facts are exactly as Mr. Brown alleges, it may well be that he was stopped because of his race—or, to be more precise, because a black man who goes up to a house in what I will presume is a predominantly white residential neighborhood will raise an officer's suspicions either as a possible burglar casing the joint, or simply as an element that "doesn't fit," just as a white male driver in a predominantly black neighborhood faces a higher chance of being stopped (as a possible drug buyer, for instance). That is a sad result of crime and residential segregation patterns, and Mr. Brown would be understandably angered at what feels like discrimination.

Since Mr. Brown has initiated legal proceedings against Eaton County and its sheriff's department, the department is not discussing the case. According to its spokesman, "there is certainly another side to the story." Here are some of the questions the fact finder will want to ask: Was there a string of crimes going on in the area that would have led the police to be extra vigilant? Did Mr. Brown or the car fit any known descriptions of suspects? The officer ran both plates—not just that of the black driver; what did he find out about either car? (Would anything have suggested that Mr. Brown was not the car's owner—such as the owner's age or presumed ethnicity?) Mr. Brown had a suspended license (though he was driving anyway): Why was his license suspended—is he an erratic driver, whose behavior may have attracted the deputy's attention? What did he do when he approached the house—did he possibly try the door or look in the windows? What was his demeanor when he was stopped?

All these questions may be answered in Mr. Brown's favor. Without doubt, there are officers

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among the country's nearly 650,000 local law-enforcement personnel who use race in a lazy and biased manner to single out law-abiders for unjustified stops. I do not believe that such behavior is the norm. It remains to be seen whether Mr. Brown encountered one of those officers.

Politically Prepped

To the editor:

I was shocked to read what "The Prep-School PC Plague" [Spring 2002] had to say about my old prep school, Phillips Academy. And I accepted what Heather Mac Donald wrote as fact. I wrote to Andover to say that I didn't like the direction the school had taken and that I would no longer support it financially. I sent e-mail to friends suggesting they do the same.

I should have known better. Andover does not promote sexual activity on the part of its students. The quote regarding Saran Wrap came from a question raised by a student during a presentation by a city or county health officer. Sex between students is not encouraged or considered acceptable. In fact, one school administrator indicated that such activity is strongly discouraged for both physical and emotional reasons.

My conclusion is that Heather Mac Donald is a tabloid journalist. Some people will do or say anything to make a buck.

I would love for Mac Donald to debate an Andover administrator in front of the students. She could point out where her article is truthful and Andover would have a chance to defend itself. Nah, that will never happen! *Edward H. Parker, Jr.*
Spokane, WA

To the editor:

I am currently a sophomore at Phillips Academy. I came to Andover colorblind. Your article could not have been more accurate about the indoctrination I face every day.

Your piece caused quite a stir: apparently, a current parent and alumnus forwarded your article (anonymously) to several administrators. At a recent all-school meeting, Barbara Chase, our head of school, addressed the article, saying it "appeals to people's prejudices in the worst sort of way." I am sure that you have received much criticism, and I wanted to write to you to say that I am pleased that someone outside our community uncovered the grave problems created here by the PC plague.

Anonymous
Via e-mail

P.S.: Sorry to remain anonymous, but it's that bad.

To the editor:

When I first read Heather Mac Donald's article on the extraordinary lengths prep schools have gone to enforce "diversity," I laughed out loud. I'm a sophomore at Phillips Academy, and diversity mongering has been a sharp thorn in my side from the moment I registered in the fall of 2000. As one of the few members of the student government who fought against the administration's attempt to enforce gender parity among student-government representatives—and one of the principals in its eventual demise this year—I have butted my head against the administration's obsession with "diversity" many times. I am thankful that at last the news media are picking up on the outrageous, divisive measures prep schools take to encourage self-segregation among students of different races, ethnicities, and backgrounds. *Will Scharf*
Andover, MA

To the editor:

As a current senior at Phillips Exeter Academy, I was struck by Heather Mac Donald's article. The points she makes are right-on. Exeter's racially charged environment is stifling to free speech and free thought, but I always considered myself lucky, imagining that college would be much worse. Having just returned from a visit to Yale, I have concluded that free thought and intellectual curiosity are far healthier there than at Exeter.

R. Sam Cecil
Exeter, NH

To the editor:

As an Exeter alumnus, I find it sad to watch what has happened to the school. The only recourse is to cease to have anything to do with them. And so—even before reading Heather Mac Donald's article—I declined to attend my 40th reunion or to donate to the class fund due to the school's overriding PC atmosphere.

Dean Clark
Tulsa, OK

Heather Mac Donald responds:

Parents who do not believe that explicit sexual instructions should be part of their children's

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schooling are unlikely to be comforted to learn that the advice regarding Saran Wrap and fellatio came during a city or county official's sex-ed presentation on campus. What does Mr. Parker think the participants were discussing—the Missouri Compromise? As for whether Andover clearly tells students that they shouldn't be having sex, period, I can only quote Gender Studies director Diane Moore: "We're not promoting any given response to sexual activity." Sounds pretty nonjudgmental to me.

Mr. Parker does not uncover any inaccuracies in my story. Since he intimates that Andover has exonerated itself from the charge of political correctness run amok, I assume he agrees with the administration that Andover's students—girls and boys alike—are so sexist that they need gender quotas in student government forced upon them.

I fail to see how arguing that today's students are ready for a gender- and colorblind education "appeals to people's prejudices."

A Taxiing Problem

To the editor:

Yes, New York's taxi system is a mess. But so is the economic analysis underlying Steven Malanga's solution ["How to Fix Gotham's Taxi Mess," Spring 2002]. The economic problem is that the city has interfered with the free market: by not allowing an increase in taxi supply to meet demand, it has created an artificial scarcity. That scarcity's economic impact (a cost to riders, a benefit to taxi owners) is easy to quantify: it is the market value of the outstanding medallions, roughly $2.4 billion ($200,000 for each of 12,000 medallions).

Malanga proposes that the city buy back the medallions and charge a license fee to taxi operators. This only perpetuates the artificial scarcity problem and the cost it imposes on taxi riders. This socialist solution—the "nationalization" of the medallion industry (as distinct from the taxi industry)—is rife with problems, not the least of which is that the city will be forced by its fiscal imperatives, exacerbated by Malanga's bond offering, to act as any monopolist would—by restricting supply to extract the maximum economic rent (in this case, total license-fee revenues) from its position.

The article is replete with fuzzy math and dubious law. Malanga says the buyback will cost "hundreds of millions of dollars, perhaps more than $1 billion," assuming that the city could buy each medallion from its owner at its original cost. This is a gross violation of due process: when the government takes property, it must pay fair value and treat owners of equal property equally; the original purchase price is irrelevant. The fellow who had the foresight to buy a medallion for $35,000 and the one who paid top dollar at $275,000 must get the same current fair market value—and that total is $2.4 billion.

The "licensing fee" number—even in the broad $5,000 to $10,000 range Malanga allows—is highly suspect. He confuses the licensing fee that covers the medallion only with a leasing fee of $30,000, which would include the cost of buying, operating, and insuring the taxi vehicle itself. The licensing fee is really a payment to the city for the artificial taxi scarcity it creates. Whatever that fee might be with 12,000 taxis, it must be radically lower if 25,000 cabs are to operate profitably. The notion that taxi economics will not be affected by an increase in supply from 12,000 to 25,000 will get a flunking grade in Econ 101.

Here is a better idea: the city sells medallions to all comers at $200,000 each this year, and at the average of the prior year's free-market prices in subsequent years. (Note that this can't possibly be higher than $200,000, because the city is providing an unlimited supply at that price; note also that future sales at lower prices occur only if the free market moves in that direction.) Taxi medallions cannot go up in value any more, and there can be no element of speculative upside in their pricing. The price will simply reflect their current scarcity value. That should decline over time as more and more medallions are sold and in the long run we get closer to a free market in taxi services. In the short run, the city reaps the medallion sales revenues; in the long run, the taxi rider gets the benefits of greater availability of service, lower fares, and nicer cars.

Robert Rosenkranz
New York, NY

To the editor:

Steven Malanga comes close to Judge Simon Rifkind's 30-year-old proposal to solve the

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taxi license problem—but missed the bull's-eye.

Rifkind recommended that the city issue a second medallion to holders of existing medallions, thus doubling the number of licensed cabs, reducing the value of those already possessed, and increasing the supply of taxicabs, but without destroying the investment of people who paid for existing medallions—sort of like a stock split. This suggestion was never pursued, but isn't it a fairer way of dealing with existing medallion holders?

Edward N. Costikyan
New York, NY

Steven Malanga responds:

My article's preferred taxi fix was for the city to buy back medallions at their owner's original purchase price—*if* such a scheme could hurdle the political and legal obstacles. Failing that, I suggested that the city could issue more medallions, refuse to give fare increases, and so drive down the medallion's market price—not unlike Mr. Rosenkranz's proposal. Where Mr. Rosenkranz and I differ is that I suggested that the city could then buy back the medallions at affordable prices in order to institute a new—and yes, regulated—system.

Mr. Rosenkranz would prefer the city never to stop issuing medallions, and he seems to assume that an unregulated taxi market will reach equilibrium and regulate itself. Though my free-market instincts would love to agree, cities where open entry has been tried have suffered from paralyzing congestion in central business districts and around airports—too many competitors all rushing to where the action is. [See "New York's Unsung Taxi Triumph," Autumn 1999]. The market's invisible hand can't guarantee that you'll make your flight or your cross-town meeting.

Where Mr. Rosenkranz's proposal would likely lead to too many drivers crowding into already congested streets, Judge Rifkind's suggestion does nothing to solve the current problem Gotham faces: a shortage of drivers, caused by the high licensing fees that medallion owners charge. My solution gives the license to the taxi operator and so is more likely to attract sufficient drivers.

Who Is Being Ethnocentric?

To the editor:

I finished Victor Davis Hanson's "Do We Want Mexifornia?" [Spring 2002] and let out an explosive breath. I am profoundly touched by his heartfelt article. It is a wonder to me that so many are blinded by selfish and egotistical politicians and demagogues, while those of us who see the situation clearly are labeled racists. I hope more Hispanic and other ethnic immigrants will realize that the only way for their children to prosper is to assimilate and fully become proud Americans. This country, for all its faults, is still one of the most generous and free countries in the world. I, for one, am grateful and proud to be her citizen.

Stacey Choi
Via e-mail

To the editor:

Victor Davis Hanson's latest article is worthy of wide dissemination. Assimilation is indeed the key to success in this society.

My mother is Mexican. I grew up in Gary, Indiana, in the 1960s, and its Mexican-American population maintained ethnic pride—just as the Germans and Poles did—but were unflinchingly American. California's proximity to Mexico does pose a special problem—the cultural umbilicus is still connected.

Thanks for a hard-hitting and truthful article.

Major Mark Tims
U.S. Air Force

To the editor:

Somebody needs to shut the fucking mouth of your racist columnist Victor Davis Hanson.

Antonio Mantranga
Via e-mail

Soft Bigotry

To the editor:

John H. McWhorter is 100 percent correct ["The Mau-Mauing at Harvard," Spring 2002]. The racism of low or no expectations is doing more harm to blacks and black culture than "intellectuals" like Cornel West realize. How on the one hand can they claim that blacks are equal, and on the other dodge the responsibility that comes with being presumed equal?

Michael Fleming
Fountain Valley, CA

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Our cover shows a detail from Christian Cornelius Dommerson's *Shipping Near the Statue of Liberty*, courtesy Waterhouse and Dodd, London (Fine Art Photographic Library, London/Art Resource, New York).

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An Undismal Economist

Theodore Dalrymple

Peter Bauer, the distinguished development economist, died peacefully at his home in London, in his 87th year, at the beginning of May. He had just won the Milton Friedman Prize for the advancement of freedom and, though very frail, was planning to go to Washington to receive it in person.

As he was fond of remarking, he was the son of a Budapest bookmaker who ended up in the British House of Lords. His entire professional life was devoted to proving that poverty was not an ineluctable destiny, that escape from it was possible and had in fact happened on a mass scale, but that false ideas could and did inhibit the creation of wealth, both among individuals and in nations. This is not to say that he regarded the creation of wealth as the whole business of life: he was always extremely careful to make the necessary philosophical distinctions.

Having arrived in England in 1938 at the age of 23 as a student with very little English, he soon mastered the language sufficiently to write prose of outstanding clarity and limpidity. He always disdained to conceal his ideas behind a screen of technical jargon, a disdain that did not necessarily increase his standing in the academic world, which often places little value on literary excellence or readability.

His ideas themselves went against the *dirigiste* orthodoxies of his age and discipline, and earned him much disdain and opprobrium. He is perhaps best known for having denied the value of foreign aid to poor countries as a means of developing them economically. He was ahead of his time in recognizing that the word by which a phenomenon was named could foreclose debate about it because of the word's connotation. It thus became difficult to oppose foreign aid because such aid was by definition help for the needy: and who except Scrooge could oppose help for the needy?

As he pointed out, practically all aid is government-to-government subsidy. As such, it has several undesirable, indeed disastrous, effects: for example, because the corrupt diversion of foreign aid is often the quickest and surest way in very poor countries to personal enrichment, it increases the bitterness of political competition and fosters the wholesale politicization of economic and social life, to the detriment of real development. Moreover, it creates a perverse incentive: for the poorer a country remains, the greater its alleged need for aid. Thus foreign aid becomes an addictive economic drug.

Although he always denied having said it, Bauer became known as the originator of the dictum that foreign aid is the means by which poor people in rich countries give money to rich people in poor countries.

He was vehemently opposed to the implicitly condescending idea of a cycle of poverty, according to which no one who started off poor could accumulate the capital necessary to improve his economic condition and therefore needed outside assistance to get started. If this were true, man would still be living in the caves. For Bauer, economic development depended upon a subtle blend of individually held ideas, cultural factors, and economic policies.

Bauer's writings on economic development are a rich source of inspiration for those who are concerned with the social problems of the poor in rich countries. Many of the nostrums that were applied to haul the poorest countries out of their poverty (but never did) have been applied to the poor in rich countries, with similarly disappointing results. Bauer always insisted that connected thinking, combined with elementary knowledge of human nature, was more important than technical sophistication in understanding how the human world worked.

Personally, he was the most charming of men. His manners—in an unmannerly age—were impeccable. And his studies of Malayan smallholders and West African traders and farmers only enlarged his deep respect, sympathy, and affection for poor people who were trying to better their lot.

Although combative in his ideas, he was the opposite of an ideological monomaniac. There was an almost eighteenth-century balance to him: for while he believed in the possibility of improvement, he did not believe in the possibility of perfection, and he was alive to life's ironies. He was not what would once have been called an Enthusiast: he did not judge everything by one criterion, and he thus could observe the world's follies with amusement. His favorite saying came from Pascal: Let us labor, then, to think well, for such is the foundation of morality.

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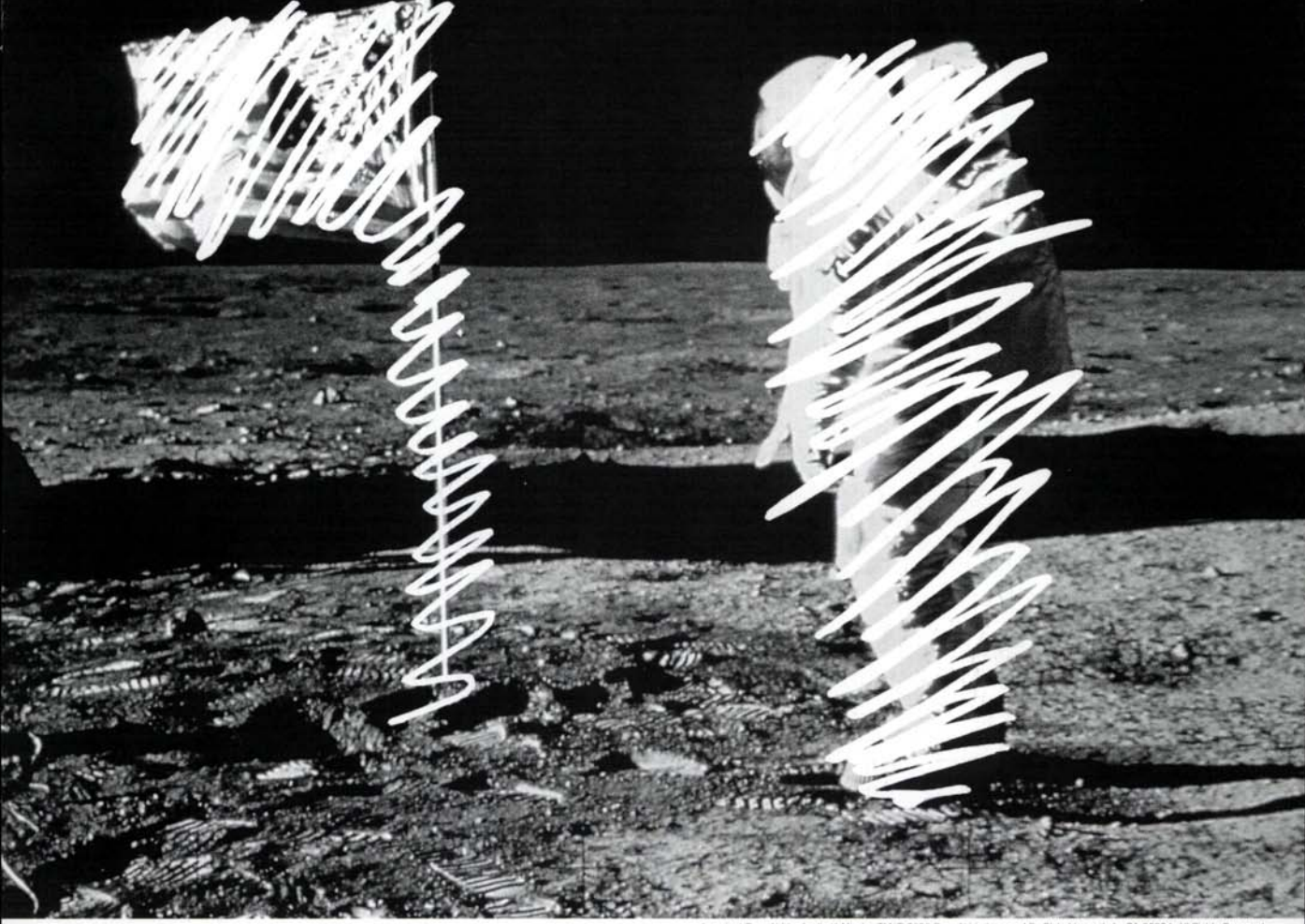

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